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2
3 IN RE THE MEETING OF THE)
4 BAY-DELTA ADVISORY COUNCIL)
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11 TRANSCRIPT OF PROCEEDINGS
12 Red Bluff Community Center
13 1500 Jackson Street
14 Red Bluff, California 96080
15

16 Friday, September 17, 1999, at 9:15 a.m.
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20

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ORIGINAL

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3 LESTER SNOW, Executive Director
4 SUNNE MCPEAK, Bay Area Council
5 GENE ANDREUCETTI, California Waterfowl
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7 TIB BELZA, Northern California Water
8 Association
9 ROBERTA BORGONOVO, League of Women Voters of
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21 MIKE STEARNS, San Luis Delta Mendota Water
22 Authority
23 ROGER THOMAS, Golden Gate Fishermen's
24 Association
25 STEPHEN ZAPOTICZNY, Monsanto Corp.

1 Proceedings

2 Friday, September 17, 1999

3 9:15 a.m.

4
5 CHAIRMAN MADIGAN: Good morning, this is
6 September 17 meeting of the Advisory Counsel here in
7 Red Bluff.

8 I would like to start by thanking a number of
9 people for their courtesies over the last 24 hours or
10 so because we had a splendid tour yesterday and a
11 terrific reception last night -- we don't get treated
12 that well very often.

13 And he says it's standard operating procedure
14 around here, not to be surprised, so. I'm all for
15 that I guess.

16 Maybe we can export that as a cash prop from
17 Red Bluff. Supervisory, Willard, good morning. And
18 thank you again.

19 SUPERVISORY WILLARD: Good morning. And
20 thank you for the opportunity to be here. I do want
21 to welcome you to Red Bluff.

22 I was quite nervous -- first talked about
23 having a BDAC come and meet in Red Bluff -- thank
24 you -- boy. That's like when I get off my tractor and
25 the dirt falls out of the air.

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1 And all of sudden my wife isn't yelling at me
2 like this. It's nice to be able to communicate here
3 clearly.

4 MR. MADISON: You rarely hear it put that
5 way.

6 SUPERVISORY WILLARD: Well, I don't hear
7 that at all -- my son goes -- "Dad." "Dad." "Take
8 off the ear muffs." Okay.

9 So this podium is sinking. Being a lazy kind
10 of guy -- I was kind of leaning. I'm going down like
11 this (indicating). Eventually you realize what's
12 going on. I'm thrilled that you are here. I
13 about a year ago was up in Redding when you met there
14 I thought it was a tremendous opportunity for Northern
15 California people to able to sit down and talk with
16 people that are making decisions and have such an
17 impact on a statewide program.

18 CALFED program is something that Northern
19 California has become and I think has continuing -- is
20 the only word I'm aware of.

21 I started in a CALFED process probably three
22 and a half maybe it's four years it kind of fades
23 away. As this process goes on people ask me well when
24 was that. I'm notorious for not having a good
25 memory. So it's really nice that you have a meeting

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1 here and it makes kind of a yearly cycle.

2 I go -- okay. Another year has gone by in the
3 process. I do want to welcome you. I'm of course a
4 little bit sensitive.

5 Usually you will be sitting in beautiful North
6 Valley setting. The coast range on one side, the
7 Cascade Sierra range on the other.

8 We're at the north end of the valley.
9 Spectacular views of Lassen and Shasta. Recognizing
10 that some of you are from more urban areas we got
11 together with mother nature, had a few fires, brought
12 the smoke in, and you can't see any of that.

13 But we hope that that will not only make you
14 feel comfortable, but want to come back. We do need
15 to open those roots of communication.

16 This is one of the few times -- and last night
17 I think was an exceptional time -- in which we can sit
18 down informally and get to know people.

19 RCRC is a group that I'm really involved in.
20 I'm chair of their water committee, whatever that
21 means.

22 My wife again explains to me often times she
23 tells me that I'm all wet. But -- I indicated to her
24 that I'd like to stay wet involved in water is what I
25 am.

1 RCRC has begun a process of reaching out. That
2 reaching out I'm sure the reflection of the fact we
3 all recognize we're pretty small.

4 There's 27 rural counties probably have
5 one-tenth of the population that exist below
6 Bakersfield.

7 So we early on recognize that we need to meet
8 with people and what we found is you need to get to
9 know them, discuss our issues and their issues and
10 begin to synthesize areas of common interests.

11 So I want to thank you for being here today.
12 Welcome you to stay as long as you want. Right now as
13 probably you're aware salmon are coming up the river.

14 You've been on a tour of Battle Creek. Come
15 back and spend some time hopefully in spring when it's
16 nice and clear and enjoy yourself here. Thank you
17 today for being here.

18 If you have questions I'd certainly be happy to
19 answer those about RCRC and its outreach program. I
20 believe you have a copy in your packet of a letter.

21 That letter is probably the first work product
22 of very unique effort, and that is what I consider
23 rural California and perhaps urban coastal interests
24 coming together.

25 Not particularly one that we see in the

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1 textbooks. But it's something that we've found that
2 we have a great deal in common.

3 That was very shocking to me. Actually maybe I
4 should pat myself on the back a little bit here. I
5 went to a conference in San Diego recently -- Urban
6 Water Institute.

7 A gentleman -- again I'm terrible with names --
8 came up to me and said -- you know how you were saying
9 three years ago we ought to talk to those people.

10 I said well, you know, we are talking to those
11 people. I don't think CALFED is going to be a success
12 unless we indeed do talk to those people.

13 Those people being anybody else, any state
14 holder group that's involved. The longer we stay
15 behind our titles the less that's going to be
16 accomplished. So thanks again. I welcome you. Have
17 a good day.

18 CHAIRMAN MADIGAN: Thank you, sir. Thank
19 you very much for last night. That was really nice.
20 Is that me? Am I on -- no. I'm not even on. Great.
21 All right. I am not on.

22 (Discussion off the record.)

23 SUNNE MCPEAK: Can you hear better from
24 this Microphone -- no. I don't even need a microphone
25 so it's okay.

1 CHAIRMAN MADIGAN: All right. I'm on. I
2 can hear. All right. In continuing with the notion
3 of thanking people for the work for yesterday's tour
4 and last night I want to thank the people from PG&E
5 who were very, very courteous to us -- Janet Walther
6 and John Osterday (phonetic).

7 And I want to thank the California Department
8 of Fish and Game as well. And Harry was along
9 yesterday. And I want to thank Harry.

10 I want to thank the Battle Creek conservancy.
11 Obviously RCRC and Anita Fieldbrook who you saw here
12 earlier this morning.

13 I want to thank her again for all of her
14 logistical support for today's activities. So thank
15 you all very much.

16 It was a very worth while afternoon and
17 evening. The next BDAC policy group meeting is not
18 going to be September 22nd for those of you keeping
19 score. It's been rescheduled to October 5th. And the
20 November novel policy group meeting is now November
21 17th. So make notes. The next BDAC meeting is
22 October 28th.

23 Alf, nice to see you today. Alf Brent is our
24 federal rep today. So we are legal and official.
25 Thank you for being here.

1 investigation such that we have a framework for both
2 of them by the end of this year.

3 From the context of the meeting I believe it
4 was their intent to meet periodically and review the
5 progress of CALFED in achieving the milestones that
6 they set and, in fact, set new milestones at each of
7 the meetings.

8 The second item I want to draw some attention
9 to under the page two under the category program
10 funding is the bond act that was passed last week.

11 And we have attached for your review a
12 three-page summary of the bond act. And you'll notice
13 there's a lot of different categories of funding in
14 this bond act.

15 There's just a couple that I want to point out.
16 And it's attachment one. And I'll draw attention to
17 page two of that attachment.

18 And three accounts that are on that page --
19 ground water storage program \$200,000,000 -- they
20 dealt a multiple purpose program 250,000,000 and
21 interim water reliable supply and water quality
22 infrastructure and management program for 180,000,000.

23 Those are activities that all specifically
24 relate to CALFED programs. So we're seeing
25 implementation money being brought to the Table in the

1 Lester, do you want to add anything to your
2 written report?

3 LESTER SNOW: Yeah. I'd like to maybe
4 highlight a Few Items with respect to the executive
5 directors report if I could.

6 First let me indicate that we are attempting to
7 do a standard executive directors report as a way of
8 giving people as much progress report as we can on
9 what's going on in CALFED.

10 It's difficult to simply rely on our reports at
11 these meetings to keep you apprised of what's going
12 on. So we're trying to standardize a way of giving
13 progress reports.

14 There's a couple things that I want to draw
15 attention to with respect to the September 14th
16 progress report that was in your packet.

17 First was the meeting between secretary Babbitt
18 and Governor Davis that took place in August. I think
19 it was a significant meeting from a number of
20 standpoints.

21 Perhaps the most important is having the two
22 heads of CALFED as it were start setting milestones.
23 And the specific milestones they set at that
24 particular meeting was to make progress on the
25 environment water account and the integrated storage

1 form of this bond package.

2 The Bay-Delta multi purpose element in
3 particular is oriented to the south Delta program.
4 And obviously ground water storage which is a
5 statewide program is looking at conjunctive management
6 activities all across the state.

7 I would simply indicate kind of a final comment
8 under that item that the polling that has been done
9 would suggest a high probability of passage for both
10 the park bond and the water bond which will be on the
11 March ballot.

12 CHAIRMAN MADIGAN: Yeah -- Stu.

13 STUART PYLE: Lester, do you know what
14 the appropriation approval process is on these funds,
15 are they required to be approved in the budget each
16 year by the legislature or do they have a direct --

17 direct expenditure as, say, in the Burns Porter Act?
18 LESTER SNOW: I think it varies by
19 account, and I have the detailed bill with me. I
20 think some accounts are continuously appropriated;
21 some have to be appropriated on an annual basis.

22 Ann, do you know any more specifics on that?

23 ANN NOTTHOFF: I think you're right that
24 it does vary by account. I'm not sure there are
25 continuous appropriations.

1 LESTER SNOW: Okay.
 2 ANN NOTTHOFF: The ones that relate to
 3 the CALFED program specifically do not have continuous
 4 appropriations.
 5 CHAIRMAN MADIGAN: I'm going to try to do
 6 a good job this morning of identifying everybody.
 7 That was Stu Pyle. And -- but I'll probably fall back
 8 in habit pretty fast of first names, and we can work
 9 it out from there.
 10 All right. Other questions for Lester on his
 11 executive directors report? It is obviously good news
 12 on the bond issue. And it's encouraging news that
 13 there's money in there for the CALFED process because
 14 money at some level is going to be the way we reach
 15 decisions around here.
 16 HARRISON (HAP) DUNNING: Lester, in the
 17 packet there's a letter from Gary Bobker that makes
 18 reference to an environmental water program.
 19 And I was curious about that phrase, and the
 20 extent to which CALFED staff has an environmental
 21 water program.
 22 I don't think I've seen it in your executive
 23 director reports. This would be something I take it
 24 quite distinct from the EWA?
 25 LESTER SNOW: Yeah. I'm sorry. I don't

1 account you actually have policies and procedures that
 2 guide how you spend money to achieve the maximum
 3 success. So that is under development.
 4 CHAIRMAN MADIGAN: Okay. Other
 5 questions? Yeah -- Alex?

6 ALEX HILDEBRAND: Lester, in the
 7 connection with these water acquisitions is there
 8 going to be a EIR process because if you acquire the
 9 water for one purpose it's no available to be used for
 10 another purpose and -- so how is that going to be
 11 addressed?

12 LESTER SNOW: Well, we've tried to
 13 address it at a programmatic level to identify the
 14 kinds of impacts that can be associated with
 15 acquisition of transfers.

16 And then each individual transfer will have to
 17 comply with NEPA and SEQUA. As you know on some cases
 18 they will do a negative declaration or a FONZI
 19 (phonetic) is done depending on the transfer.

20 And in other situations they have to go through
 21 an environmental impact report.

22 ALEX HILDEBRAND: Trouble with these
 23 FONZIS it's like the fox in a chicken coop. It's
 24 those that want to do something that find that there's
 25 no impact.

1 have in mind the letter?
 2 MR. DUNNING: The letter's at the very
 3 back of the packet, the next to last item. On the
 4 fourth page of that letter there's reference --
 5 there's a heading Environmental Water Program Strategy
 6 and Policy Guidelines.
 7 I guess my question is is there such a thing as
 8 environmental water program within CALFED?
 9 LESTER SNOW: I think what the letter is
 10 referring to is that for some time the Ecosystem
 11 Roundtable identified the need to come up with
 12 policies and procedures for the purpose of expending
 13 water acquisition money.
 14 So there has been significant effort that's
 15 gone in to try to develop the criteria of procedures
 16 that would target the use of ecosystem restoration
 17 money for water acquisitions.
 18 So some of that has been developed in the
 19 ecosystem program. And Dick Daniel has worked on
 20 that, some of the Roundtable members have spent some
 21 time working on that.
 22 We would expect that policy to actually fold
 23 into the development of the environmental water
 24 account.
 25 So that as you develop an environmental water

1 So if you don't have a process that involves a
 2 more objective analysis they don't mean much.
 3 CHAIRMAN MADIGAN: Okay. Other
 4 questions? Okay. Thank you, Lester. The next item on
 5 the agenda this morning is a discussion of the
 6 Watershed Program. And we have a Work Group report
 7 to -- to hear this morning.

8 And it is an organized presentation of eight
 9 local watershed representatives. And -- Bob, do you
 10 want to introduce this, please -- Mr. Meacher.

11 BOB MEACHER: Good morning, BDAC and
 12 chairs. It's with great pleasure that I bring this
 13 back full circle to you after about a year and a half
 14 as Charlie had mentioned in his introductions.

15 Before we begin I -- I want to explain to BDAC
 16 a couple of things that this -- you here references to
 17 RCRC and the Regional Counsel of Rural Counties the
 18 watershed Work Group is not a Regional Counsel of
 19 Rural Counties function.

20 It is a conglomerate of people from all over
 21 the State of California. They have worked tirelessly
 22 and selfishly to put this thing together in a hurtling
 23 effort along with CALFED staff in last year and a half
 24 to come up with the product that they have today.

25 These folks as you might have noticed if you

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1 stayed at the Red Bluff Inn they were up until around
2 midnight last night scripting this thing down so it's
3 going to be fast and tight.

4 I would suggest if you're to be interested in
5 the overheads that you sharpen your pencils and ask
6 questions afterwards as these guys are going to be
7 moving so fast with so much information it's going
8 hard for the average person to absorb I think. But we
9 did that --

10 CHAIRMAN MADIGAN: How fast are he they
11 going to be moving, Bob.

12 BOB MEACHER: What's that?

13 CHAIRMAN MADIGAN: How fast are they
14 going to be moving?

15 BOB MEACHER: Real fast.

16 CHAIRMAN MADIGAN: Real fast.

17 BOB MEACHER: But that is in recognition
18 that a year and a half ago we got sort of boggled down
19 in lot of presentations.

20 I have to give thanks to the CALFED staff in
21 particular Mary Lee Kancht from Jones and Stokes who's
22 here with us today -- Mary Lee, raise your hand back
23 there. This gal has really put in lot of time and
24 effort on this.

25 Dennis Bowker not with us today I believe --

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1 also very instrumental in assisting the Work Group and
2 John Lowrie who is here today who I would like to --
3 if he could -- address BDAC shortly at this time to
4 make a few comments before we bring on the panel.

5 CHAIRMAN MADIGAN: Absolutely. Mr.
6 Lowrie, come on up. Let me also say that there is
7 going to be an opportunity for public comment at the
8 end of this presentation as well as questions from the
9 members of the BDAC.

10 And I suspect somewhere in the back we have
11 public comment forms. If you'd fill them out they
12 would be most helpful to us.

13 So you'll have an opportunity to participate in
14 this conversation. Good morning, sir.

15 JOHN LOWRIE: Good Morning. Mr.
16 Chairman, can you hear me all right?

17 CHAIRMAN MADIGAN: No. Now you can.
18 You're on now.

19 JOHN LOWRIE: Okay.

20 CHAIRMAN MADIGAN: All right.

21 JOHN LOWRIE: Sounds good. I'll be very
22 brief.

23 CHAIRMAN MADIGAN: Great.

24 JOHN LOWRIE: It's been since May of 1998
25 when we last had the opportunity to discuss watershed

1 management and CALFED's Watershed Program with BDAC
2 and we're very encouraged about the opportunity to
3 once again visit with you.

4 One of the tremendous outcomes of that May 1998
5 BDAC meeting was the wise decision to create the
6 watershed Work Group.

7 That Work Group has been working hand in hand
8 with the program over the last year and a half or so
9 to develop what we currently have in place as a
10 revised draft Watershed Program plan.

11 It would not have happened without the
12 tremendous work and input of that Work Group
13 particularly the chairman -- chair people -- Bob and
14 Martha Davis as well as the Work Group members many of
15 which you'll hear from today.

16 The only other thing that I really want to say
17 is to assure the Bay-Delta Advisory Counsel that there
18 will be a vigorous and healthy Watershed Program ready
19 for implementation when the record of decision for the
20 CALFED Bay-Delta program is made.

21 And that Watershed Program when implemented
22 will make a significant contribution towards the goals
23 and objectives that the CALFED Bay-Delta program has
24 stated and are in place.

25 With that in mind I just want you to listen and

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1 learn as I have learned from the views and input of
2 these wonderful people.

3 I think they have something very important to
4 say and I'm looking forward to hearing what they have
5 to say. Thank you.

6 CHAIRMAN MADIGAN: Thank you, Mr. Lowrie.
7 Mr. Meacher?

8 BOB MEACHER: I also wanted to give
9 thanks to another component of the CALFED staff which
10 is called IWAT which is the inner-agency watershed
11 advisory team to policy group.

12 These are agency folks and I see that Julie
13 Tupper from the Forest Service is here today. Julie,
14 raise your hand if you would.

15 I don't know if any other IWAT members are
16 here -- who you pointing at Dennis Lyman -- yeah --
17 and Dennis is back there -- there you are.

18 These folks have been great in attempting to
19 communicate between the policy group, the staffers and
20 the actual stakeholders on the ground.

21 And if BDAC members if you would please look
22 in your big pamphlets that was mailed to you you can
23 look at the list of individuals who have participated.

24 CHAIRMAN MADIGAN: It's pages long.

25 BOB MEACHER: Yeah. It's pages long.

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1 Lot of input from all over. Just because we're in the
2 north state doesn't mean that the Watershed Program is
3 limited to the north valley.

4 This is a statewide effort. You're going to
5 hear that right now. And, Mr. Chairman, I am going to
6 turn this over to a -- our -- our co-chair of the
7 watershed Work Group who was -- made a cameo
8 appearance as a BDAC member at one time.

9 The executive director of Californians in the
10 lands, Martha Davis, who is going to moderate our
11 panelists and keep this thing moving for you at which
12 time she'll turn it over to me.

13 And I would ask BDAC please don't interrupt the
14 speakers as they've got this thing so scripted we'll
15 wait until they're done to ask questions so just jot
16 them down. Thanks.

17 CHAIRMAN MADIGAN: You got it. Good
18 morning, Martha.

19 MARTHA DAVIS: I just want you to know
20 that we took you very seriously when you said we
21 needed to keep our presentation within a short period
22 of time.

23 CHAIRMAN MADIGAN: Thank you.

24 MARTHA DAVIS: So we have done our best.
25 And it's a very great pleasure to be back here with

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1 Bay-Delta advisory counsel.

2 My job or my assignment this morning is to
3 briefly describe the accomplishments of the watershed
4 Work Group.

5 To begin the discussion about the linkages
6 between the watersheds and the Bay-Delta. And then
7 really turn the presentation over to the watershed
8 representatives themselves as part of our presentation
9 in talking about what watersheds can contribute to
10 Bay-Delta solutions.

11 Then we'll close and returning to Bob Meacher,
12 and he'll talk about some of the next steps. I can
13 hear myself hissing.

14 As has been indicated it was last May that we
15 were asked to take on the program of the assignment of
16 developing a Watershed Program.

17 This is a daunting task. If you think about
18 where the other elements of the CALFED program they
19 had a two to three year head start.

20 And we were being asked as of August of 1998 to
21 have a draft Watershed Program developed by December
22 of '98 and to have a final program by June of this
23 year with an implementation strategy.

24 And as Bob Meacher indicated it really is
25 thanks to the cooperation and the collaboration of an

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1 outstanding group of people both CALFED staff, the
2 IWAT team and the extraordinary participation of the
3 public in this program.

4 And the bottom line is we did it. You have the
5 program. I'm sure you've all read it very carefully.
6 But I want to stress that really if you think about
7 this public participation element it as important as
8 the program itself.

9 When we started the watershed Work Group we
10 started with the traditional CALFED grouping of about
11 20 people who would actually serve on the watershed
12 Work Group.

13 And Bob and I made the unilateral decision that
14 anybody who wanted to participate should and could.
15 And so over the course of the year we've had on
16 average 30 to 40 people in every single monthly
17 meeting reviewing the program, making suggestions.

18 There were meetings where we were going through
19 that document and editing line by line with 30 to 40
20 people.

21 Over all the number of people who participated
22 in this program have been over two hundred. And as
23 you can see from the overhead the representation of
24 the watershed groups extend to the north, to the
25 south, to the east and to the west. It really

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1 encompasses all of the areas of California.

2 Another accomplishment of the watershed Work
3 Group is that in addition to this workload we've also
4 taken on additional special assignments.

5 We've created a subcommittee. We need to speak
6 very close to the Microphones. Is that better --
7 okay. Thank you. Whoever made that suggestion.

8 We've created subcommittees. Lester, earlier
9 this year you asked the watershed Work Group to take
10 on the assignment of developing a funding legislation
11 concepts.

12 We work very closely with the RCRC and the
13 Sierra-Nevada Alliance and Dick Dickerson. You're to
14 hear today from the assemblyman about the proposed
15 legislation that will create statewide not just for
16 the CALFED programs a dedicated source of funding for
17 the Watershed Programs. How's that? Much better?

18 In addition we are going establishing a
19 subcommittee that is working on developing criteria
20 and priorities for the first year of the
21 implementation of the CALFED program after ROD.

22 And finally we even had an informal
23 subcommittee -- I'm not sure it was formerly sponsored
24 by CALFED that was a study group on the EIR EIS in
25 trying to work with watershed groups up down

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1 California to make informed comments on the EIR EIS.

2 So what is the Watershed Program? You guys
3 have read it I'm sure. The essence of it are two
4 primary components: One is the assistance, local to
5 local community based Watershed Programs both
6 technical assistance and funding assistance to help
7 them develop these Watershed Programs.

8 And the second is help in coordination and
9 integration of the local programs with the rest of the
10 CALFED efforts.

11 Now I had a phone call yesterday from a
12 representative of the ecosystem Roundtable who said --
13 wanted to report on the outcome of this weeks meeting.

14 At the end conversation he said -- really.
15 Come on. What is the Watershed Program? What is it
16 in essence?

17 There's really three key points. Number one
18 the Watershed Program is trying to build a base of
19 recognition and understanding of the relationship
20 between the landscapes of California and the Delta.

21 This is looking to all of the places that
22 provide water to the Delta both natural tributaries
23 and the nonnatural sources.

24 And it's looking at the relationship between
25 the Delta and the areas that receive that water. The

1 GARY NAKAMARA: You'll have to turn
2 around to see this. And unfortunately it's not very
3 bright.

4 But my name is Gary Nakamara. And I'm an
5 extension forester with the University of California
6 cooperative extension up in Redding.

7 And I'm also a member of the Shasta/Tehama
8 Bioregional Council. And what I have here is a dark
9 overhead showing of the Clear Creek Watershed up to
10 the west of Redding.

11 And there's part of the boundary -- and the
12 salient points of this map are really the colors. In
13 this watershed we have the yellow which is Bureau of
14 Land Management;

15 The green which is Forest Service; the white
16 which is private and primarily Sierra Pacific
17 Industries; the purple which is National Park Service
18 and in addition to the land owning federal agencies we
19 had the Bureau of Reclamation managing the Whiskeytown
20 dam.

21 And then in the lower regions we have Fish and
22 Game and Fish and Wildlife Service with an interest in
23 restoring that watershed habitat.

24 So you might think that this is quite a poor
25 choice for trying to develop integrated programs

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1 second element of the program is it's to establish a
2 watershed context for the local land use actions where
3 people in these local areas are looking at the Delta
4 and they're asking themselves the question -- How do
5 their day to day decisions if done well contribute to
6 the solutions for the Delta? If done badly create
7 problems.

8 How can they Improve their decision making to
9 make a difference for the Delta? And the third
10 element of the program is to provide a watershed
11 context for the implementation of the CALFED programs
12 themselves. That as we move from concept to
13 the specific on the ground implementation that is in a
14 site specific location we have an opportunity to help
15 not only CALFED link their objectives with the local
16 objectives but look at the synergy of trying to
17 connect across the CALFED programs in a site specific
18 location.

19 So now I'm going to turn to the people who can
20 tell you about their specific linkages. How do they
21 see from their watersheds their relationship to the
22 Delta.

23 And in the interest of saving time I think
24 we're going to have each individual introduce
25 themselves.

1 because of diversity of interests and landownerships.
2 But the Shasta/Tehama Bioregional Council saw this as
3 a great opportunity to show how that might be done.

4 The CALFED issues in Clear Creek that we feel
5 we can contribute to our water quality sediment and
6 nutrients of coarse fields and wild fire roads and
7 then the Iron Mountain Mine which is super fund the
8 site which is not in the Clear Creek itself but which
9 receives water, the Trinity River diverse of 800,000
10 acre feet comes across into Whiskeytown dam.

11 That water then goes into the Spring Creek
12 reservoir which also is the Iron Mountain Mine waste
13 water.

14 And this produces zinc and copper which goes
15 into the Sacramento River and cautions fish kills. So
16 we have got water quality issues in Clear Creek.

17 We've got restoration of habitat. We're
18 putting in spotting gravels in the lower Clear Creek.
19 We also have a water supply and storage function --
20 Whiskeytown dam and again the Trinity River diversion.

21 That water comes through Whiskeytown dam. So
22 the operation of that dam clearly has water supply and
23 storage implications.

24 And that water quality coliform and other
25 biologicals. There is French Gulch and a number of

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1 communities in the watershed.

2 There are waste water septic tank issues with
3 them and then there's Whiskeytown Lake itself which is
4 a recreational lake and has recently abandoned the use
5 of these personal water vehicles because of MTBE going
6 into the water.

7 Not to mention coliform and probably a little
8 bit of urine from the kids. So we've got all these
9 issues in the watershed.

10 So what are we advocating doing? That CALFED
11 Watershed Program links the common programs of CALFED
12 and fossas (phonetic) collaboration.

13 The Shasta/Tehama Bioregional Council again saw
14 this Clear Creek as an opportunity to show the
15 coordination of management activities across public
16 and private ownerships.

17 The agencies responded with the Western
18 Sacramento Valley Provincial Advisory Council. This
19 is the presidents northwest forest plan that the
20 western sack pack agencies responded by making Clear
21 Creek a private project to show how programs and
22 projects might be integrated across property
23 boundaries.

24 One of the results of this is the development
25 of a comprehensive watershed wide plan for

1 protection.

2 As you notice the picture of my watershed this
3 is what we have -- our oak woodland corridors. In
4 these oak woodland corridors we have over 20
5 endangered and listed species that live there.

6 They're very similar to riparian corridors
7 except they're terrestrial corridors. These oak
8 woodlands depend on a healthy water level to keep
9 those valley oaks alive.

10 Now this is one side of my watershed; this is
11 the side of my watershed. And I think that you can
12 see that the endangered enlisted species that I have
13 over here in the oak woodlands are not going to move
14 across the road into this kind of environment.

15 What I'm urging CALFED to do is use our valley
16 oak as a keystone species. The health of our valley
17 oak will be the health of those over 20 and endangered
18 listed species.

19 We feel that unless local watershed groups are
20 able to participate fully in CALFED decision making
21 assurances about third party impacts will not be
22 perceived as believable and will not work. Thank you
23 for your time.

24 CHAIRMAN MADIGAN: Thank you.

25 OTIS WOLAN: I'm Otis Wolan; I'm the

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1 transportation and fuel reduction as opposed to each
2 individual landowner working on their own and hoping
3 that they link up -- they're looking at the whole
4 watershed as a whole.

5 And finally the community based watershed
6 groups operating under the Watershed Programs
7 principles can link the agencies, landowners and
8 public in achieving CALFED long-term goals. So with
9 that I will -- I'll end. And I'll hand it over to our
10 next speaker.

11 CHAIRMAN MADIGAN: Thanks, Gary.

12 LYNN BARRIS: Hello. My name is Lynn
13 Barris. I'm with the Cherokee Watershed Group we are
14 located right in the middle of Butte County and right
15 directly in the middle of the Butte basin aquifer.

16 Our issues with CALFED is we think of ourself
17 as a resource extraction area from all the talk about
18 water transfers coming out of our area and all the
19 willing sellers we have in our area.

20 So these are the points that we worry about.
21 And even though we talk and talk the conjunctive
22 work -- the conjunctive use Work Group is meeting
23 today; the transfer Work Group was kind of disband and
24 why? Because these things were never taken care of,
25 they never come to a conclusion with any kind of

1 Chairman of the Board of The Placer County Water
2 Agency and I work with the American River watershed
3 group -- did we just lose that -- I think we just lost
4 -- basically keeping your minds the watershed will
5 actually run from as you go from Sacramento up to Lake
6 Tahoe. That is what you see along Route 80 is our
7 watershed.

8 Our priority issue is fuel loading and the
9 prevention of catastrophic wild fire and watershed
10 devastation.

11 And these are the linkages. The source of the
12 problem is really the century long practice of clear
13 cutting and even extend management with a monoculture.

14 We have fire suppression over the last 40 years
15 not fire management. There's been a decline in
16 grazing which kept the understory down.

17 There's a lack of thinning and management at
18 this time. And that equals a dense even age canopy
19 with a dense understory that is very prone to fire.

20 And the linkages to CALFED go to water
21 quality, water supply, storage and reoperation. With
22 water quality there are particulate loads, herbicides
23 and there's an associated habitat loss.

24 With storage there's erosion, sedimentation,
25 reduction in reservoir capacity. Ten percent of

1 Folsom is already sedimented.

2 With water supply forest management methods can
3 actually increase yield and can release the water to
4 more favorable time, later in the year when we
5 actually need it.

6 That goes to reoperation with the PG&E
7 divestiture we've had talk about reoperating the upper
8 watershed hydroelectric facilities.

9 We view reoperation in a more integrated and
10 wider view. We not only need to reoperate those upper
11 watershed reservoirs, but we need to integrate forest
12 management practices; be that metal restoration; be
13 that forest management practices into reoperating for
14 the water supply.

15 These four slides will give you a quick dirty
16 view of forest management. This is a typical old
17 growth in the Tahoe National Forest.

18 You see the canopy is not continuous. There
19 are different size trees. A fire can burn through
20 here and not burn everything up.

21 Fire from below will not -- unless the winds
22 are enormous -- they will not leap into the canopy.
23 And the canopy is not continuous, so it won't -- it
24 won't carry a fire as an even H stand will.

25 Like this. This is really what we have. It's

1 Marin County.

2 According to EPA these streams still have
3 perhaps the best native fisheries in Bay-Delta region.
4 Watershed conditions in the north bay contribute to
5 the function of the Bay-Delta because as you can see
6 this area is a bottle neck.

7 To quote from the ERP, volume two, all central
8 Valley anadromous fish pass through the north bay and
9 depend on the north bay and its marshes for some
10 critical part of their life cycle.

11 In addition none of these streams is dammed.
12 So they supply water directly to the Bay-Delta without
13 the complexities of water management that you find
14 elsewhere in the system.

15 Investing in places like my watershed Sonoma
16 Creek protects CALFED's investments in other parts of
17 the Bay-Delta.

18 Besides improving fisheries habitat,
19 maintaining a healthy vital north bay sort of
20 immunizes the Delta against more invasions of
21 nonnative species.

22 And it also preserves the health of the north
23 bay in the face of increasing development pressures in
24 these watersheds which could lead to further
25 particulate loads to the bay, greater pollutant

1 a thicket. A fire goes into here it will burn
2 everything.

3 This is a Bureau Land Management site that we
4 use as a demonstration site for fuel reduction. This
5 is the before, this is the exact same pot after.

6 And what you're beginning to see there is a
7 forest management practices. And not only yields that
8 has a yield but also begins to mimic nature and begins
9 to look like a beginning of a old growth forest
10 again. But it has a yield component. This is
11 what happens after a fire. I note that the sticks are
12 all equal even size.

13 It's an even age. When a fire starts there is
14 massive devastation. You can see very clearly the
15 water quality the erosion.

16 All of those linkages are very clear. And we
17 have a very clear choice in front of us.

18 CHAIRMAN MADIGAN: Thank you.

19 CAITLIN CORNWALL: Hi. My name is
20 Caitlin Cornwall. I'm a biologist at the Sonoma
21 Ecology Center which is a nonprofit watershed group
22 located in Sonoma valley.

23 I'm here representing the watersheds of the
24 northern San Francisco Bay also called San Pablo Bay.
25 These are Sonoma Creek, Petaluma River and creeks in

1 loadings, pesticides and flood events.

2 The Watershed Program more than the other
3 common programs assures that CALFED's actions actually
4 support each other.

5 For example, the Watershed Program could fund
6 efforts to maintain the health of the north bay as a
7 way to improve Central Valley fisheries.

8 It might fund water conservation in the urban
9 Bay Area in order to make water for the Delta. The
10 Watershed Program also addresses the hundreds of
11 thousands of nonpoint actions that -- that create the
12 health or disease of the Bay-Delta by reaching the
13 people who actually determines what happens on the
14 ground.

15 These are local planning departments, private
16 landowners -- in our area grape growers, construction
17 companies, et cetera.

18 In addition the Watershed Program collects
19 monitoring information from these reference watersheds
20 that can help improve watershed management throughout
21 the Bay region. Thank you.

22 CHAIRMAN MADIGAN: Thank you.

23 JAMES CORNELIUS: Good morning. I'm Jim
24 Cornelius. I'm a water resources engineer with the
25 Calaveras County Water District.

1 I'm going to be the discussing the Calaveras
2 River watershed study. I do have -- okay. This is a
3 slide of the nonpoint sources in the Calaveras River
4 watershed.

5 The Calaveras River watershed includes one half
6 of Calaveras County and a small portions of Stanislaus
7 and San Joaquin County.

8 The area of the upper watershed is about 473
9 square miles. And it's major source of drinking water
10 Calaveras County and the greater Stockton metropolitan
11 area.

12 The watershed goes from a upper head waters
13 about six thousand feet elevation to the intake for
14 Stockton which is about 130 feet.

15 The issues in the Calaveras are nonpoint source
16 pollution and TMD owls. The erosion sediment from
17 timber harvest, wildman fires and river bank erosion.

18 There's health problems associated with cattle
19 grazing and wild animals; there's forestry herbicides;
20 there's septic tank failures; contamination from
21 recreation; there's 250 historic mines; storm water
22 discharges particularly from some old industrial sites
23 and high nitrogen are down near the Stockton
24 diversion.

25 Currently the Calaveras County Water District

1 recreational lake.

2 Some of the problem -- this is an area very
3 close to the watershed. You could see what could
4 happen in the first rain storm.

5 This is portion of the Calaveras big trees.
6 The types of problems very short distance away again
7 erosion type problems impacting the lake.

8 This is 4,000 foot elevation in the area that
9 had serious wildfires in 1992. And some of the
10 problems still resulting from it.

11 This 250 historic mines -- this is an old
12 mining activity. You can imagine heavy metals and
13 such. Also a lot of cattle grazing can result in
14 problems like this running into water supply sources.

15 This is New Hogan reservoir in the middle of
16 the watershed. This is below New Hogan. This is an
17 area that many local people believe that CALFED should
18 be interested in fishery discussed restoration
19 activities.

20 This an example of a point source or a nonpoint
21 source from old industrial plant. Even recreational
22 facilities have potential problems.

23 There's a stream that runs right through the
24 middle of this golf course, of course, that
25 potentially could be impacted by fertilizers and

1 is working on a number of project -- establishing,
2 monitoring, analyzing data, determine water quality
3 impacts evaluating project that could improve water
4 quality and increase water supply and evaluating
5 watershed computer models for use on the Calaveras
6 River watershed.

7 My recommendation is that watershed management
8 provides a real opportunity for broad coordination for
9 integrating not only within CALFED projects but with
10 nonCALFED agencies -- and local agencies.

11 The primary example I wanted to use is the
12 California Department of Health Services Drinking
13 Water Assessment Program.

14 The state drinking water people could -- this
15 year are spending \$7,000,000 doing source water
16 assessments which in my mind is kind of another name
17 for watershed planning, the identifying sources of
18 contamination and what types of activity needs to be
19 done to protect drinking water supplies.

20 I like now to do a little tour of the Calaveras
21 County watershed. If we could -- oh -- there we go --
22 this is White Pines Lake and the real headwaters of
23 the Calaveras County of the water district.

24 Unfortunately there's some problems associated
25 with the water -- this is a water supply lake plus a

1 pesticides and Best Management Practices.

2 This is down near the doctrine intake -- this
3 is results from old gold mining and later gravel
4 mining operation that causes heavy algae growth that
5 cause taste and odor in the water supply.

6 This is an example of bank erosion. You can
7 barely see the river through there. But you continue
8 to see erosion of the banks and again this is the area
9 that probably needs some attention.

10 And the final slide this is a similar -- this
11 slide shows point source. The point being here the
12 fact that anything going on in the upper watershed
13 impacts the Bay-Delta.

14 It's only a few miles from the bottom of the
15 upper watershed here to where the Calaveras runs into
16 the San Joaquin north of Stockton. Thank you

17 CHAIRMAN MADIGAN: Thank you.

18 NETTIE DRAKE: Hi. I'm Nettie Drake.
19 I'm the manager of the Panoche Silver Creek Watershed
20 Coordinated Resource Management Plan.

21 Up until now you've heard everything is talking
22 fairly north of the Delta or next to the Delta. Now
23 we're going to move to southern part of the -- below
24 the Delta.

25 The Panoche Silver Creek watershed is located

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1 in the San Joaquin Valley in western Fresno County and
2 eastern San Bonito County.

3 Our boundaries is the top of the coastal range
4 Diablo Ridge down to the Mendota Pool. It's
5 approximately 300,000 acres. At the top one-third of
6 the watershed or in the upper part of the watershed is
7 managed by the Bureau of Land management.

8 The rest of it is privately owned and operated.
9 The upper part of the watershed is primarily range
10 land. The middle and lower part Alluvial Fan area is
11 real crop production agriculture.

12 We have one municipality which is the City of
13 Mendota. I wanted to reiterate that the watershed
14 group's goal as CALFED's goal is is to establish
15 relationships between landowners and resources.

16 To address in our case the water quality,
17 drainage, erosion, and sediment transport throughout
18 the watershed and then beyond the watershed.

19 I'm going to talk to you a little bit about
20 where beyond the watershed is. The drainage comes out
21 of the upper watershed by two primary tributaries; the
22 Silver Creek and the Panoche Creek.

23 They join to become just Panoche Creek. They
24 flow northerly out of the Alluvial Fan to the Mendota
25 Pool which then goes to the Fresno slough which most

1 As a result the Alluvial Fan where farming
2 takes place is continually on an annual basis
3 recontaminated with the selenium and the boron which
4 creates a tremendous economic damage to the production
5 agriculture, the City of Mendota, Fresno County Public
6 Works, Caltrans DWR because of the California aqueduct
7 splits our watershed.

8 Our primary -- as a result of the sediment
9 transport getting into the water obviously we have a
10 water quality problem.

11 We are addressing that. We are trying to deal
12 with the selenium, the boron. We don't have asbestos
13 in the Panoche Silver Creek, but they have a
14 tremendous amount of asbestos in the Arroyo Pasahara
15 (phonetic) which is just south of us.

16 Then mercury because we have an old abandoned
17 mercury mine at the top of the watershed that flows
18 down San Carlos Creek down to Silver Creek Panoche
19 Creek and then on.

20 Where we feel we work and why we are important
21 to CALFED although we are south of the Delta. Our
22 water does flow north to the San Joaquin River to the
23 Delta. We unfortunately by mother nature's doing
24 provide a lot of selenium. We're dealing with that
25 issue.

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1 of us who are familiar with the San Joaquin River is
2 just an outreach of the San Joaquin River; then
3 obviously the San Joaquin flows into the Bay-Delta
4 area.

5 The reason I make this point, and I want to
6 make sure it's clear is because -- when the erosion --
7 when the sediment is transported it flows.

8 And we have -- and our issues are water quality
9 erosion and sediment transport. They all work
10 intertwined.

11 The erosion is occurring primarily in the creek
12 channel because of instabilities along -- I have some
13 slides and you'll see it.

14 As a result of the instability in the channel
15 itself the erosion creates sediment. The sediment
16 then is transported down the watershed, into the
17 Alluvial Fan and ends in the Mendota Pool, the Fresno
18 slough, the San Joaquin River. And we know where that
19 ends up at the Bay-Delta.

20 The reason the sediment is of some concern as
21 you can tell we have some of the world's largest
22 natural deposits of selenium.

23 And we have a large natural source of boron in
24 our watershed. The sediment is highly contaminated
25 with both selenium and boron.

1 We also know that the selenium causes immense
2 aquatic -- immense damage to the aquatic species in
3 the San Joaquin River and the Delta.

4 We believe if we can control the erosion we
5 control sediment flow from there sediment --
6 controlling the sediment flow increases or water
7 quality, increasing water quality as you can read will
8 address the health and biodiversity in ecosystem
9 within the San Joaquin River and the Bay-Delta.

10 We believe that not only in the north but also
11 in the south we can address and help CALFED meet their
12 goals.

13 As a reference point my watershed -- everybody
14 said they should know because it's the star and that's
15 me -- is the -- is this star right there.

16 That's -- essentially this is the San Joaquin
17 River this way. And the tributaries to the San
18 Joaquin. This is the location area of my watershed.

19 Now I'm going to show you a couple of pictures
20 as examples of the watershed. This is an example of a
21 western San Joaquin Valley watershed.

22 I wanted to show this to you because I know
23 you've been looking at Northern California watersheds.
24 We are very different. We're different geologically,
25 geographically, and pretty much everything you can

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1 think of. We are pretty much different.

2 Obviously we have a problem. We don't have
3 trees. There's a lot of reasons for that. This has
4 never been deforested. This is it.

5 So I wanted to show you because it is
6 different. And you can see in some of the areas where
7 there's the PH in along these hills I have sites in my
8 watershed of PH of the soil of three.

9 And that's because of the natural selenium
10 deposits. This is a small example within the Panoche
11 Silver Creek watershed of erosion problem and the
12 sediment transport problem we have.

13 You saw a little bit in earlier slides. But
14 this sediment is what is carried out by flood waters
15 and flow events down on the Alluvial Fan to pool to
16 the San Joaquin River.

17 So I wanted to show you that this is a small
18 site. I have numerous sites because of cons and years
19 where I have 60 foot cliffs in the watershed.

20 Last -- during El Nino we almost had a man
21 killed because of a sloughing off a 60 foot cliff.

22 Thank you. And be sure and ask any questions.

23 CHAIRMAN MADIGAN: Thank you. Ed Petry
24 (phonetic) would have been proud of you.

25 NETTIE DRAKE: Do not mention that name,

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1 please.

2 CONNER EVERTS: Thank you. My name is
3 Conner Everts. Executive director of the Southern
4 California Watershed Alliance.

5 I'm here to let you know that Southern
6 California watersheds are live and well and working on
7 their own solutions.

8 When I started this out I knew of the 27
9 coastal rivers and creeks, the lagoons and the
10 wetlands, but I had no idea that there's 52 and
11 counting established watershed groups.

12 All the way down to community watershed groups
13 which also include one of our endangered species which
14 is Southern California farmers.

15 Our management tools that we use include water
16 use sufficiency, water recycling, conjunctive use,
17 watershed management, storm water recharge, localized
18 minisorage and many recharge systems that go right
19 back to one household size and local solidity
20 solutions.

21 Some models you may have already heard of by
22 the Santa Ana Watershed Project Authority which has a
23 goal of three years self-sufficiency during droughts.

24 Another is using the community base
25 organization to educate implement water efficiency

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1 programs, for example, LA cities one million over flow
2 toilet replacements which means there's no new demand
3 for water in the last 30 years in the Los Angeles
4 service area because of conservation and reuse.

5 And a unique one the Santa Monica dry weather
6 storm water treatment plant. Because in Southern
7 California our streams and rivers unlike up here
8 actually have more water in them in the summer because
9 of the affluent.

10 I also notice that Tim Brick, power member and
11 a metropolitan water district board member is here.
12 He works in his local area with Hamonga (phonetic) and
13 Pasadena Watershed Project and double gates
14 restoration behind what was a dam.

15 I'm also here to say surface storage doesn't
16 work. On my right you have Matilaha Dam (phonetic)
17 which now over 90 percent of which is filled with
18 silt. It was built in 1937.

19 The next big fire, the next big rain storm it
20 will be completely of no use to the county and the
21 local water district.

22 On my left you have Matilaha Dam during a
23 recent storm where the water runs over the top. And I
24 want to let you know that this is the area where we
25 are solving the problem with steelhead restoration.

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1 This dam is coming down, the diversion is being
2 built. The solutions in Southern California think not
3 of -- people think of the failures and becoming like
4 Los Angeles.

5 Think of the successes we are doing down there
6 with local watershed groups and trying to repeat that
7 in CALFED. Thank you very much.

8 CHAIRMAN MADIGAN: Thank you. Martha.

9 MARTHA DAVIS: I'm going to bring this
10 section of the presentations to a close. First by
11 thanking all of our representatives today in helping
12 to describe how they see the relationship between
13 their landscapes back to CALFED and how they can be
14 important players in contributing facts solutions
15 facts to the Bay Delta.

16 But I'd also like to close with a point about
17 integration. The Watershed Program represents
18 probably the broadest -- in terms of geographic scope
19 the broadest connection back to the solution area for
20 CALFED.

21 But as you begin to move through the outer
22 program areas you see that the programs had started to
23 focus and establish priority areas for their
24 activities.

25 And you start to see these areas scaling back

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1 in terms of where they see -- for example -- water
 2 quality or water efficiency or the ecosystem
 3 restoration program focusing.
 4 This is the water quality program geographic
 5 scope. It probably is almost as broad as watershed.
 6 It leaves the Trinity.
 7 It leaves off a little bit of area in the
 8 coastal zone in Southern California. But it still is
 9 extremely broad in recognizing the relationship
 10 between water quality programs and CALFED.
 11 Then as you move forward through the other
 12 programs this is urban water efficiency. The areas
 13 that are targeted for that program.
 14 You can see very major areas of the CALFED
 15 solution area are not currently targeted in that
 16 program.
 17 This is agricultural efficiency programs. And
 18 this is the ecosystem restoration program with the
 19 area that is in the center of the map being the
 20 ecosystem restoration focused area.
 21 I'd just like to close with two points and then
 22 turn it over to Bob Meacher. One is as we look at the
 23 CALFED programs and the CALFED programs are
 24 establishing priorities and focusing downward what
 25 might we be missing? If we're not thinking about how

1 issues are.
 2 I think our biggest issue Martha just laid out
 3 for you you saw by the maps the need to integrate. I
 4 have talked and I'm glad to have heard these folks say
 5 it again but the underlying theme here is to take that
 6 CALFED puzzle piece as we see it with all those
 7 different common programs and start erasing those
 8 lines.
 9 We feel that the CALFED common programs are all
 10 part of a overall Watershed Program. In any other
 11 state from what we've seen the CALFED Bay-Delta
 12 program would be called the CALFED Bay-Delta Watershed
 13 Program and wouldn't be broken into small parts. It
 14 would be one comprehensive program.
 15 Another issue for us is the funding. By the
 16 constraints on funding to the program I still can't
 17 believe how staff was able to do what they did between
 18 John Lowrie, Dennis Bowker and Mary Lee Knecht with
 19 the hours allotted to them.
 20 It's amazing to us as participants and
 21 stakeholders that they could do the work products that
 22 they put out.
 23 So we'll continue to lobby you all to make sure
 24 this is funded and prove to you that it's worth
 25 funding.

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1 to the programs connect across CALFED and how they
 2 connect on the ground.
 3 One of the things that the Watershed Program
 4 brings to the CALFED solution site is the opportunity
 5 to work through local landscapes, locally based
 6 community lead efforts to try and take at the local
 7 level the CALFED goals and bringing them meaningfully
 8 to the ground. Thank you.
 9 Bob, you're on.
 10 BOB MEACHER: Thanks, Martha. As you can
 11 see this is diverse group with a common theme of north
 12 and south, east and west and these watersheds.
 13 Once again I would remind BDAC that the reason
 14 we are working with the Southern California watersheds
 15 and feel that they're part of the Watershed Program is
 16 because their programs can reduce the need for
 17 transportation or stressors on the Delta, so we find
 18 that connection part of CALFED.
 19 I think a discussion might take place amongst
 20 BDAC and its panelists and Martha and myself about
 21 what is next.
 22 I know that I was asked as one of the cochairs
 23 to give you, BDAC, sort of a thought where we're going
 24 to go this year. You've heard what we've
 25 accomplished, you've seen our networking and what our

1 This next year I think that John might speak to
 2 later -- if not I'll touch on it now. The funding
 3 priorities for the Watershed Program.
 4 I think that the policy group is looking for
 5 some direction here. And part of our function at BDAC
 6 would be to sort that out and give to you what the
 7 priorities are.
 8 And once again those linkages and why they're
 9 important to the water quality program, the water use
 10 sufficiency program, the ecosystem restoration
 11 program. You've just were given a taste --
 12 it's much more complex than that. And each one of
 13 these watersheds is extremely different.
 14 And these people are highly professional and
 15 astute in those watersheds. And as this program moves
 16 forward over the next 30 years there's no need to
 17 create some huge bureaucratic oversight.
 18 Everything is in place for this. The only
 19 missing is the connection and the need for funding
 20 it. So unless I've left anything out I would turn
 21 this over to BDAC for any questions of either Martha
 22 and I or John who is here and the panelists.
 23 SUNNE MCPEAK: Thank you, supervisor
 24 Meacher. And I want to begin by thanking you and
 25 Martha for cochairing the Work Group and just

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1 acknowledging once again the incredible amount of work
2 that's been done by a large number of people who are
3 all listed in the agenda packet.

4 And having done that in a very short period of
5 time. I also want to commend the panelists. You were
6 all very succinct.

7 I know it took real focus and discipline, and
8 you did a masterful presentation. I only regret that
9 we didn't have this like four years ago.

10 But -- but -- you know -- have patience with
11 us. As I say to my kids -- God isn't through with me
12 yet let alone you, and I guess not CALFED.

13 So we'll be patient with one another. I think
14 that you've really -- you know -- pushed the program,
15 pushed CALFED in a very positive direction to, if you
16 will, force the understanding of watershed
17 relationship to the entire ecosystem help.

18 And so we do -- we want to commend you. And I
19 just want to maybe say one other thing and open up for
20 questions to the panel members or to Martha and to
21 Bob, and that is -- you know -- I think we're at that
22 point where there is a a very substantial and deep
23 understanding of the importance of watershed to the
24 program.

25 And acknowledgment of the need to come up the

1 description of the program that I heard. I read
2 through the statements in the package that was sent
3 out to us.

4 And I was a little concerned about a couple of
5 things. And one of the things that concerned me was I
6 just looked at all of these it seemed like -- my
7 goodness.

8 Here we're looking at the establishment of a
9 bunch of separate administrative organizations that
10 are going to span all of these and, I wondered if
11 there wasn't a lot of duplication there.

12 Then as I kind of looked at it today and
13 thought about what we saw in Battle Creek yesterday
14 and so forth I think we just have to accept that; that
15 the local control is probably the necessary element in
16 these things.

17 I think we just have to live with the fact that
18 there's going to be an organization for each one that
19 adapts itself to that.

20 So I'm not as worried about that as I was last
21 week when I read this thought, and looked like we were
22 just layering a lot of administrative costs that might
23 otherwise be controlled by some centralized thing.

24 But I don't think the centralized approach
25 really works it. The other question I had was in

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1 curve on funding. I hope a recognition, Bob, of what
2 you said of the important leadership infrastructure
3 that exists around watersheds already.

4 And that that's very powerful and effective,
5 and we want to embrace that as has been done by the
6 Work Group and evidenced here in the presentation.

7 And not get drawn on off into huge bureaucracy.
8 And there's an increasing commitment to funding. The
9 challenge now, and I've said this before is, let's
10 figure out exactly what's to be done because we're
11 going to go do it.

12 I think we have the religion. We just need to
13 now really deliver. We need to do that sooner rather
14 than later. Obviously thoughtfully and respectfully
15 to the environment.

16 But I think we've got policy makers in
17 Sacramento and Washington who want us now to make it
18 happen.

19 So with that I've talked long enough that the
20 Chairman came back. But we'll open it up for
21 questions and start with Stu. Thanks.

22 STUART PYLE: I'm Stu Pyle, Kern County
23 Water Agency. And I've been on BDAC -- all the time
24 since it started.

25 I was very favorably impressed with the

1 reading the papers whether they really addressed the
2 water management aspect of the watersheds in terms of
3 producing runoff characteristics that may be better
4 water quality characteristics, sediment
5 characteristics that may be better.

6 But I think those are probably built into each
7 one in their own way. They probably vary. But I
8 think they're there.

9 It seemed to me that the writeups drifted into
10 an awful lot of the ecological and social aspects of
11 the use of the watersheds.

12 But I think all of those tend to result in the
13 watershed actual water supply. The one thing that I
14 would like to ask or suggest about is the -- the --
15 excuse me -- the hydrologic data aspect of managing
16 these sheds. As hydrologic hydraulic engineer who's
17 worked in this business my entire career.

18 The most important aspect of all of this is
19 having the data to work with. That is the basic
20 runoff data at a large number of sites.

21 And that we know that over the last 20 years or
22 more through cost cutting there's been a massive
23 reduction in data collection throughout California.

24 And it seems to me that there ought to be some
25 type of an overall hydrologic data collection and

1 management program that spans all of these and sees
2 that we don't -- sees that we don't neglect that and
3 that we can get back to a better collection and
4 publication of data. Thank you.

5 CHAIRMAN MADIGAN: Thank you. Somebody
6 want -- Martha?

7 MARTHA DAVIS: Stuart, particularly on
8 your last point that's been a topic of considerable
9 discussion at the watershed group.

10 And what we're hearing back from the watershed
11 groups is that the state really needs a real water
12 budget where we're really getting serious and looking
13 at the relationship between the surface water and
14 ground water, where we're really beginning to track
15 who's using what water when.

16 That the current modeling that is available to
17 the State of California simply does not provide
18 adequate information to really understand some of
19 these hydrologic interactions.

20 And that if -- in order to help solve the
21 problems that are facing us we need better information
22 to understand where we can make improvements.

23 And you can't get there from here without a
24 water budget.

25 CONNER EVERTS: Just quickly two things.

1 I don't know what you're referring to as the written
2 things that may be in your packet.

3 But what I was suggesting to my fellow
4 participants is that we could put our presentations
5 together including the visuals that we had and some
6 more information and give it to BDAC as one piece and
7 maybe that would help.

8 That would be from us back to you. But I do
9 appreciate your comments that this does needs to be
10 done on an individual level.

11 And while some efforts may be repeated each
12 organization has needed to go through that process.
13 And it does include a lot of background hydrological
14 information from agencies, counties other agencies
15 involved.

16 So there's a lot of interagency involvement
17 here So behind these short presentations are a lot of
18 data collecting information. But thank you for your
19 comments.

20 CHAIRMAN MADIGAN: If you could help me
21 as each of you individually as a response make sure
22 you identify yourself so that the court reporter can
23 get it.

24 CONNER EVERTS: That was Conner Everts
25 from the Southern California Watershed Alliance.

1 JOHN LOWRIE: My name is John Lowrie and
2 I'm the Watershed Program manager. And I just wanted
3 to respond briefly to one of Stu's concerns with the
4 lack of data -- basic hydraulic data.

5 If you look at the CMAR, Comprehensive
6 Management -- or Monitoring Assessment and Restoration
7 Program there a watershed section.

8 And within that watershed section is pretty
9 clear articulation of that same need and the desire on
10 the part of CMAR to significantly address some of
11 those major gaps through the additional installation
12 of monitoring stations, flow stations -- sites,
13 precipitation measuring and a variety of other things
14 that have fallen off the table over the last 15 or 20
15 years because of budget shortfalls.

16 So there may be an opportunity to fill in some
17 of those gaps. If we can implement that component of
18 CMAR in a comprehensive way.

19 CHAIRMAN MADIGAN: Roberta, Tib, then I
20 have Ann and Alex. Roberta?

21 ROBERTA BORGONOVO: I wanted to comment
22 on the point that Martha had made. I think that
23 Martha said it a couple of times but it's very
24 important in especially the ecosystem restoration
25 program when they begin to do implementation on the

1 local level.

2 There's this real need to bring in all of the
3 local people. And the watershed groups are just a
4 natural for that.

5 So I -- even I was impressed. And I've gone to
6 several of the watershed Work Group meetings. When
7 you take a look at the stars they're all over the
8 state.

9 And they involve this whole wide range of
10 people. And I think that when we look at the CALFED
11 restoration in the long term if we're looking 30 years
12 we are looking at this watershed management view.

13 And I think as someone said of course the whole
14 CALFED program is Watershed Program. But to have
15 this -- these local entities in place is a huge help
16 for the CALFED program.

17 CHAIRMAN MADIGAN: Thank you. Tib?

18 TIB BELZA: Morning, Mike.

19 CHAIRMAN MADIGAN: Good morning. Did you
20 have a question?

21 TIB BELZA: No.

22 CHAIRMAN MADIGAN: Oh -- I thought you
23 did. But it's nice to see you anyway.

24 TIB BELZA: I hope there's not an auction
25 later on.

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1 CHAIRMAN MADIGAN: Yeah, sure. Tib, I'll
 2 call on you when -- thank you. Ann?
 3 TIB BELZA: I do have a question, Mike.
 4 Why am I the only one that has a red ribbon tied to my
 5 microphone?
 6 CHAIRMAN MADIGAN: That was to help me
 7 Tib know not to call on you, but I blew it. Ann?
 8 ANN NOTTHOFF: I thought that was really
 9 one of the most informative and encouraging panels
 10 that we've had presented to us in CALFED because I
 11 think you all are actually representing some good
 12 applicable ideas that we could actually do something
 13 about.
 14 And I appreciate that you highlighted the need
 15 for figuring out how we can fund some of these worthy
 16 projects.
 17 And that was exactly the question that was on
 18 my mind about especially of some of these programs
 19 that are outside our solution -- not pollution --
 20 solution area -- how are we going to direct money to
 21 some of those.
 22 Now if we do pass a water bond that is
 23 certainly not confined to CALFED solution areas, but
 24 certainly ecosystem Roundtable monies and others would
 25 seem applicable to some of these.

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1 And how can we in CALFED expand that solution
 2 area or ways to spend those dollars? That's one
 3 question I had. And that's --
 4 CHAIRMAN MADIGAN: We'll take that one
 5 first, Lester.
 6 LESTER SNOW: I'll start -- let me ask
 7 John to comment on this. Couple people have made
 8 reference to the fact that we're just transitioning.
 9 We started off with ecosystem restoration
 10 monies that were very specific in their purpose. It
 11 came out of the accord. And that was the deal with
 12 endangered species related to the conflicts that
 13 resulted in the accord.
 14 And we've tried to start integrating watershed
 15 types of things as we've gone along. And you'll hear
 16 that later today under restoration coordination of
 17 potential funding of some projects.
 18 When we look at full implementation there has
 19 to be pure watershed management strategies that aren't
 20 simply an adaptation.
 21 Before we started with ecosystem restoration I
 22 think John and the Work Group have been starting to
 23 address that. John, do you want to comment?
 24 JOHN LOWRIE: I can comment briefly on
 25 it.

1 CHAIRMAN MADIGAN: Yes stop hold on for a
 2 second here give you a chance to collect your
 3 thoughts, John. Okay. Go ahead.
 4 JOHN LOWRIE: One of the things that
 5 distinguishes the program from ecosystem restoration
 6 program, for instance, is that we are seeking projects
 7 and activities that have a multiple set of
 8 objectives. And I think the program panelists
 9 clearly articulated that relationship on a watershed
 10 basis in their particular locations.
 11 In terms of the solution area the Watershed
 12 Program really has its own defined solution area
 13 within the programmatic documents that really spans
 14 the entire range of the areas that we're discussed
 15 here today.
 16 So when you look at our program plan contained
 17 in the current version of the EIR EIS you will see
 18 that our solution area is basically or roughly defined
 19 as anywhere where we can find an address sound
 20 watershed based programs that immediately or directly
 21 affect the Delta and the Delta priorities that CALFED
 22 has.
 23 And so we have looked at least preliminarily at
 24 places like Trinity River where we have significant
 25 diversion floats. The flows themselves, the effect of

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1 those flows ultimately have a direct relationship on
 2 the Sacramento River and down stream there's
 3 relationship there.
 4 That's where we need to look to find at least
 5 some of the solutions to the Bay-Delta system. The
 6 same is true with Southern California, the central
 7 coast at least those places within the surface area's
 8 state water project.
 9 How that water is managed and how much that
 10 water actually flows and is used in those areas can
 11 directly effect what occurs in the Delta.
 12 We've expanded our program area to try to
 13 direct those issues in those that way.
 14 CHAIRMAN MADIGAN: Go ahead, Ann. Do you
 15 have a second question?
 16 ANN NOTTHOFF: Yeah. I think that's what
 17 is so encouraging about this is looking at what goes
 18 into the Delta and the demands on it at the other end.
 19 So I think --
 20 UNIDENTIFIED SPEAKER: Mike, can I add to
 21 that?
 22 CHAIRMAN MADIGAN: Excuse me. You bet.
 23 UNIDENTIFIED SPEAKER: In looking for a
 24 comprehensive Watershed Program and in looking for
 25 funding I think we have to think outside the box.

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1 In our watershed when we look at fuel reduction
2 yes we have to cut the material down. But you can't
3 burn it because that's an air quality problem.

4 So you have to turn it into ethanol with
5 biomass conversion. So you're into transportation;
6 you're into air quality. Who's going to cut it down?
7 We've got less than four percent of unemployment in
8 our county. It looks like welfare to work. So
9 how big is this pie and how big is the integration
10 that we need to talk about.

11 I think we're still focused within the water
12 box and we've got to get out of it because it's a
13 cultural wide problem not just a watershed wild
14 problem CHAIRMAN MADIGAN: Thank
15 you.

16 UNIDENTIFIED SPEAKER: One quick comment
17 is that it's funny that you mentioned pollution area
18 because lot of Southern California watershed groups
19 are not interested in getting CALFED water.

20 They see their own water and restoration
21 projects; they want to control the water quality.
22 However they are interested in getting the money.

23 CHAIRMAN MADIGAN: Okay.

24 ANN NOTTHOFF: Just also to address
25 Stuart's concern about the proliferation of a lot of

1 passing that out to the watershed groups.

2 So, you know, we already existed in lot of
3 cases. And the Watershed Program just kind of
4 codified who we are and how we operate.

5 Along the lines of more administration the
6 Shasta/Tehama is very concerned about putting too much
7 emphasis and resources into administration.

8 So we don't exist except in our own minds we're
9 not a -- we don't take in money; we don't want money.
10 But we do want some say in how the landowners and the
11 agencies operate in our watersheds.

12 And through them, through the resource
13 conservation district we get our wishes complied with.
14 But it's through existing agencies and existing
15 funding sources and so forth.

16 All we ask is that they coordinate their
17 activities. And so it doesn't have to lead to yet
18 another layer of bureaucracy. We talk about this a
19 lot in our watersheds.

20 The other point I'd like to make -- since it's
21 so hard to get a word in edgewise here -- is that you
22 on ought to value the knowledge and skills of the
23 local watershed groups in achieving regional statewide
24 and national objectives.

25 And a specific example in the current EIS there

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1 local groups I think one of the things that's key to
2 understanding watershed management is the importance
3 of land use decisions play in water quality issues on
4 a watershed basis.

5 And I think certainly local control is going to
6 be key to those land use decisions. That's one of --
7 another argument for why we have these local -- unless
8 you're going to support statewide land use planning,
9 Stuart, then we can really talk.

10 CHAIRMAN MADIGAN: Stuart is not going to
11 support that. Gary?

12 GARY NAKAMARA: Gary Nakamara,
13 Shasta/Tehama Bioregional council. As to this issue
14 of the proliferation of units to be organized I'd like
15 to, you know, inform you that the Shasta/Tehama
16 Bioregional Council started in 1993 long before the
17 Watershed Program of CALFED.

18 So the CALFED Watershed Program is not
19 necessarily spawning these groups -- I mean -- in some
20 places maybe yes. But in other places we already
21 existed.

22 What you see in the Watershed Program is more
23 the correlation or coagulation of what these watershed
24 groups are and a distillation of it as opposed to the
25 writing of a Declaration of Independence and then

1 is a -- there's a targeted action in Clear Creek
2 advocating that 25 to 50 tons per year of gravel be
3 added to that watershed.

4 The reality is since 1996 we've been putting in
5 7,500 tons of gravel. So on the one hand the EIS is
6 advocating we put in 25 to 50 tons; we're already
7 putting in, what, 300 times that.

8 So and the local people are aware of this. But
9 clearly the people who advocated this action in the
10 CALFED document did not.

11 And that makes us wonder about other things
12 that are in there that we're not aware of that may be
13 300 percent off. Thank you.

14 CHAIRMAN MADIGAN: Thank you. I have --
15 several people would like to ask questions. And I
16 appreciate the patience of the panel and listening to
17 the question. Alex?

18 ALEX HILDEBRAND: Alex Hildebrand. I have
19 two comments I'd like to make. First it's been
20 discussed here quite a bit that the -- each of these
21 watersheds is different.

22 Each has to be examined separately. And that
23 each of them has an effect on the Delta. I'd like to
24 amplify that a little bit with regards to sediment
25 transport.

1 In the Sacramento system generally you have
2 gravels throughout the system pretty much. In the
3 Sacramento San Joaquin system on the other hand we
4 have largely on the valley floor on the west side we
5 have fine grain material including fine grain material
6 that was dumped down out of the Merced during the
7 mining days.

8 And that stuff moves along without much
9 velocity. It moves almost continuously. So the kind of
10 thing that you saw there in the Panoche Silver Creek,
11 for example, eventually comes down to the Delta.

12 It's moving down all the time. You move a lot
13 more during a flood. But it's moving year in year
14 out, month in and month out.

15 And there's a lot of talk about the merits of
16 moving sediment. But you got to remember that all
17 ends up in the Delta.

18 And when it hits the tidal zone and the
19 velocity drops out the material drops out, too. And
20 we're gradually plugging up the southern Delta with
21 this sediment that's coming and nothing's been done
22 about it unless -- except to the extent that it gets
23 far enough to get in the ship channel and then they
24 take it out. We had a pretty good discussion
25 earlier this week with the core people and their

1 riparian development and stream channel stability to
2 keep it at least in our watershed.

3 But that's as you well know the long-term
4 project of growing plants what have you. So we
5 certainly -- I hear what you're saying. I appreciate
6 your comments and I'm glad to hear somebody talk about
7 the San Joaquin and our sediment problem. Thank you.

8 CHAIRMAN MADIGAN: Thank you, Nettie.

9 Alf. ALF BRANNON: My name is Alf
10 Brannon I'm with the Department of the Interior -- am
11 I on yet -- am I on -- now I'm on. Hi.

12 My name is Alf Brannon I'm with the Department
13 of the Interior. I do have a question. I want to
14 complement you. I was impressed by the brevity, but
15 the comprehensiveness of your presentations. And it
16 was helpful to be able to see all the different pieces
17 of it and in very short forms.

18 I've know various pieces, but to see it
19 altogether it's very helpful to understand how it all
20 fits together.

21 But there's one that I did wonder about which
22 is watersheds the -- sort of the urban watersheds. As
23 a federal government we have to be aware and concerned
24 about some of the environmental justice issues and are
25 the communities that traditionally have not been

1 comprehensive flood control program about doing
2 something about this.

3 And I think maybe we are going to get their
4 program expanded to address that problem. It is a
5 very serious problem.

6 My other comment is to add my complement to the
7 group. I think it's exemplary in how they're moving
8 along. They're making a lot of valuable progress.

9 And they're making that progress because they
10 seek out and are very receptive to local expertise. I
11 can only wish that that was the case in relation to
12 the Delta -- people within the Delta.

13 CHAIRMAN MADIGAN: Thank you. Richard --
14 excuse me.

15 UNIDENTIFIED SPEAKER: Mr. Chairman, can
16 I make a comment?

17 CHAIRMAN MADIGAN: Sure. Please.

18 NETTIE DRAKE: Because I thank Alex for
19 his comments because the Panoche Silver Creek
20 watershed Crimp (phonetic) is working towards trying
21 to address sediment transport problem within the
22 watershed.

23 And we're working -- I'm working currently I
24 have a list of about 190 landowners that are now
25 corresponding with me to develop vegetation zones and

1 listened to.

2 What's happening in those watersheds? Is there
3 Oakland, Richmond other areas that are not as well
4 funded or -- and are not in the rural area.

5 Are those watersheds being addressed by the
6 watershed group as well?

7 CONNER EVERTS: Conner Everts. I would
8 like to respond. Some of the work I do is with water
9 conservation and specifically in the Bay area the
10 environmental justice issue made them feel very left
11 out when they -- one -- late in the late in the game
12 heard about CALFED; two, heard it didn't apply for
13 them in terms of environmental justice was only for
14 farm workers.

15 They eat fish out of the Bay-Delta. The
16 pollution problems impact them very directly in their
17 communities, and they are very concerned.

18 Urban Creeks Council -- a lot of watershed
19 grounds within urban areas -- the San Gabriel LA River
20 Watershed Council.

21 A lot of the groups I work with in Southern
22 California all deal with these programs. They also
23 deal with solutions with community based organizations
24 where jobs are provided and economic development is
25 available through conservation.

1 One item I forgot in relation to in the items I
2 listed in Southern California we've only started to
3 save but it's been 800,000 acre feet that we've saved
4 so far with these various tools.

5 That -- I feel -- is just the beginning of what
6 can be saved including in urban communities and people
7 otherwise left out. Thank you.

8 CHAIRMAN MADIGAN: Thank you, Bob.

9 BOB MEACHER: Al, I'd also like to add
10 that part of the Work Group has a big participation
11 from Santa Clara County water. Greg Zelloznick
12 (phonetic) is here in the audience today. He could
13 attest to that.

14 We have others that sit on it from Southern
15 California as well as you've seen. And also I'd
16 invite you to take a look at the water bond in order
17 to get support for that. A Lot of money is being
18 spent in the urban watersheds in that bond.

19 CHAIRMAN MADIGAN: Thank you, Bob.
20 Richard.

21 RICHARD IZMIRIAN: Am I on?

22 CHAIRMAN MADIGAN: You're on now.

23 RICHARD IZMIRIAN: I'd like to bring it
24 back to the quantification issue. Am I on -- okay.
25 But first I'd like to let Robert, Martha and the panel

1 there on how the thing works; what are the pluses and
2 the minuses, and how does the watershed work. There's
3 a real -- of the information. It's astounding.

4 And we need to address that first. So we base
5 it on science and base it on understanding.

6 NETTIE DRAKE: Richard, to follow up --
7 Nettie Drake the Panoche Silver Creek Watershed. I am
8 currently working with developing funding quite
9 honestly to -- we have projects in our watershed --
10 we've completed a sedimentation study that tells us
11 know because it's never been done how the sediment's
12 moving, where it's moving, where it's coming from, and
13 in what kinds of volumes are we talking about. That's
14 most historically and project it.

15 We are working on projects right now of trying
16 to quantify how much reduction in sediment we can do
17 given very specific kinds of projects.

18 But like Otis said in our watershed in the San
19 Joaquin Valley it was a forgotten job for 20 years.
20 So we do have a problem with data.

21 Right now over the last four years we've been
22 doing a tremendous catch up job with the assistance of
23 DWR and NRCS and private water districts -- private
24 and publicly held water districts to gather the data
25 to do that.

1 know that I'm also thrilled with the performance of
2 the Watershed Program.

3 Stu mentioned the need for quantification and
4 Martha the need for the water budget. Both of which I
5 agree with.

6 My concern is how management decisions in the
7 Delta are going to be made based on the performance of
8 the Watershed Program and how that part of the linkage
9 will be made.

10 I haven't seen any attempt to create objectives
11 for certain management actions in the watershed, yield
12 a certain amount of water or a change in timing of the
13 flows or the amount of sediment. And then
14 incorporating that goal with the -- for the watershed
15 groups to achieve -- more of an interactive or
16 intergoal making procedure linking the Delta with the
17 watersheds.

18 CHAIRMAN MADIGAN: Yes.

19 OTIS WOLAN: Otis Wolan, the American
20 River Watershed Group, addressing that very directly.
21 Our objectives within our watershed plan are to get
22 the data and to understand the system well enough
23 where we can begin to make those kinds of goals
24 without blowing air.

25 Basically there's not enough information out

1 Because that is a very big concern. That is a
2 big goal of the Panoche Silver Creek watershed is to
3 reduce the sediment loading throughout the watershed
4 and then obviously onto the Delta.

5 CAITLIN CORNWALL: Likewise in my
6 watershed -- Caitlin Cornwall from Sonoma Valley --
7 just would like to reiterate the same point in our
8 watershed we very much thirst for more data about the
9 hydrology of our watershed, sediment movement within
10 it.

11 We work with a number of agencies who can
12 provide us with quality assurance for that data. We
13 know we have masters in Ph.D. level people
14 participating in our organization.

15 Really what's lacking is the funding you know
16 we used to have a USGS gauge in our stream. We don't
17 have it anymore. There's just no information unless
18 we gather it. So that's what we're trying to do.

19 CONNER EVERTS: Conner Everts. I think
20 that's the challenge to CALFED is we need the money to
21 provide the Work Group continuing. And we need you to
22 make some of the links to us rather than the other
23 direction.

24 JIM CORNELIUS: Jim Cornelius, Calaveras
25 County Water District. One of the things I'm

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1 preparing for the board of directors for the Calaveras
2 County Water District is the same thing we've been
3 talking about -- the linkage between the Calaveras
4 County, the Calaveras River watershed and other
5 watersheds in Calaveras County.

6 How they relay and could impact to the
7 Bay-Delta system and to CALFED.

8 CHAIRMAN MADIGAN: Thank you. I have Stu
9 then Fran then Rosemary. Stu.

10 STUART PYLE: Yeah. My question is
11 probably to Otis and maybe some others. Otis a little
12 while ago you talked about the needs for fuel
13 reduction for fire management and so forth.

14 And I wonder -- you say -- well, you've got to
15 get rid of the material. I wonder how you reconcile
16 getting rid of the material in a fast machine driven
17 way as to what I understand to be the park service
18 policy so articulated in the recent issue of the
19 nature conservancy magazine of the natural decay over
20 centuries of dead falls and fire burned out areas et
21 cetera, et cetera. How do you reconcile those two
22 approaches?

23 OTIS WOLAN: I don't think at this point
24 we understand things well enough to reconcile them.
25 The system has had interventions of forest management

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1 that have thrown us out of balance.

2 We don't quite understand the level of out of
3 balance. And we don't understand the impact and
4 solutions.

5 Right now we've got a million dollar 204 grant.
6 The purpose is to understand the water quality impacts
7 of fuel reduction.

8 We don't know what those methods do at all.
9 We've got another \$65,000 grant to look at water
10 quantity in two small watersheds that are right next
11 to each other.

12 That have astoundingly different production.
13 Even though on all phases they're equal. We just
14 don't understand what's going on.

15 So do we need to let that material decompose
16 and go back into the ground? Some of it -- yeah --
17 probably. How much? We don't know.

18 How well will the pilot biomass conversion to
19 ethanol work? We don't know. How badly do people
20 want to work in the forest? Well, that's a big
21 unknown. It's real work out there.

22 ROBERT MEACHER: Can I also address that?

23 CHAIRMAN MADIGAN: Sure.

24 ROBERT MEACHER: I think Otis covered
25 most of it. But we do know from the source counties

1 or the watersheds is that -- what Otis touched on,
2 Stu, because of the manipulation of the landscape over
3 the last 150 years some of the key strategic
4 watersheds are in jeopardy of that last overhead he
5 put up of catastrophic wild fire.

6 So we do know if we don't do something those
7 watersheds are at risk. The best thing we could do
8 now is to get in there and mechanically remove some of
9 them to get back to a more precontact condition so
10 that they are fire resistant so that they can burn.

11 Most of the smoke that you're seeing right now in
12 the north valley are from fires that are just burning
13 under the canopy right now.

14 In Plumas County we're burning 26,000 acres and
15 it's just being managed. It's not being fought
16 because it's only burning six inches off the ground
17 and it creates a lot of smoke. That's what can happen
18 in a larger fire.

19 But without pontificating on it. It is
20 something that we see outside the box. It is a larger
21 social issue perhaps, but it's all part of the
22 integration of dealing with that.

23 My biggest concern when I came into CALFED is
24 not so much increasing water quality and creating
25 better timing of flows or whatever it's -- it's

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1 protecting what we have.

2 Because if we don't get in there and start
3 managing it whether it's the Panoche Watershed silting
4 up the San Joaquin or up the north state here the
5 system is going to clog. So it's protecting the
6 investment we have.

7 OTIS WOLAN: The (unintelligible)
8 solution this is what it's all about. You can see
9 it's not without controversy either.

10 CHAIRMAN MADIGAN: I have Fran and
11 Rosemary then Bob Raab, then Roberta?

12 FRAN SPIVY-WEBER: I'd like to turn the
13 conversation -- my name is Fran Spivy-Weber from Mono
14 Lake Committee -- to the issue of Governance.

15 I'm very impressed with what the Watershed
16 Group has been able to do in a very short period of
17 time with a very diverse group of people at the local
18 level that represent many of the kinds of interests
19 that are around the BDAC table.

20 But there seems to have been sort of quicker
21 movement to -- at least in product there seems to be a
22 much quicker movement to some solutions and projects
23 that people can agree on.

24 And so I wanted to ask the -- I'm wondering if
25 maybe we should just turn over our BDAC function to

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1 the Watershed Work Group first of all.

2 CHAIRMAN MADIGAN: As soon as possible.

3 FRAN SPIVY-WEBER: But -- but are there
4 some kind of tricks to the trade of getting diverse
5 groups of people to work together to come up with
6 priorities and solutions.

7 NETTIE DRAKE: Nettie Drake, the Panoche
8 Silver Creek Watershed. I would like to address --
9 then Martha, Bob anybody else -- one of the things
10 like I said I work with 40 plus agencies, county state
11 and federal and over 190 landowners.

12 One of the things -- the key that has worked
13 for me is encouraging everyone to come in with a
14 neutral mind and an open mind.

15 Because the biggest problem I had in my
16 watershed when I came on board four years ago was they
17 had been trying for six years to do something. And
18 couldn't because everybody was fighting.

19 One of the things I told them is basically they
20 had to leave the guns at the door. And that if you
21 come in the room you have to be willing to listen to
22 the other side.

23 Because you might be a little surprised on the
24 similarities. That has been something everybody knows
25 they come into my meeting they got equal time;

1 comments -- Gary mentioned or Mr. Nakamura mentioned
2 something about he would -- he would like to insure
3 coordination.

4 When I looked at the different areas of
5 concerns -- whether it's sediment transport, water
6 quality, erosion issues, nonpoint source bottlenecked
7 areas, forest management practices -- looking at all
8 of those different areas I looked at the projects that
9 are described in the upcoming funding.

10 And one of the things that I see that's still
11 very vague is when you're looking at trying to find
12 solutions you should coordinate with existing
13 programs.

14 And that's one thing that I don't see very
15 much. It's not very clear to me is to how that's
16 going to happen with the projects that are suggested
17 to be funded.

18 Water quality issues. If that's the greatest
19 concern then there should be some areas of measurement
20 to make sure that you're -- you know -- involved with
21 other entities, other watershed groups that are ready
22 doing a lot of work.

23 Don't send the project out. Just isolate it.
24 I want to make sure that it does get some kind of
25 coordination.

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1 nobody's better than the others; they have to -- they
2 have come in with an open mind.

3 CHAIRMAN MADIGAN: Let me get those
4 down -- equal time, nobody's better than the others --
5 this would be hard. Rosemary.

6 ROSEMARY KAMEI: Rosemary Kamei, Santa
7 Clara Valley Water District. First of all I'd thank
8 you so much for your presentation and for all the work
9 that Bob and Martha and all of those who worked on it
10 have done.

11 Because you've really, really progressed a lot.
12 I think it's also because many of you have been
13 working on watershed projects.

14 And things are happening at the local level
15 where individuals are coordinating, are getting things
16 done.

17 And there's a lot of things that you'll get
18 done, you know, beyond CALFED within your local areas.
19 So, you know, I recognize that because at the Santa
20 Clara Valley Water District We also are working on a
21 watershed initiative with the Regional Board and with
22 others in the community.

23 So there are urban projects that are working on
24 watersheds as well. And the one thing that I'm
25 concerned about and I'm hoping I can get some

1 And that would be a tremendous value if they
2 could add to what already is existing as opposed to
3 starting again.

4 I looked at the criteria that was set out. I'm
5 a little bit disappointed a lot of it has to do with
6 sort of very vague -- we want to do education. We
7 want to do this -- it sounds like there's a tremendous
8 amount of work that's already being done.

9 What else can we add to it? What can they do
10 to assist something that's already existing? And to
11 me it seems like the groups know a lot already.

12 So whatever projects are being funded, whatever
13 areas that we can put monies into they should add to
14 whatever already is existing.

15 And just for the record I'd like to say that
16 I'd like to see funding go to the Watershed Group.
17 Because it's going to be critically, critically
18 important.

19 I agree with Martha. It cuts across a lot of
20 different program areas. And certainly would be
21 beneficial to CALFED.

22 CHAIRMAN MADIGAN: Thank you. John.

23 JOHN LOWRIE: I need to stress this
24 point, and I need to make it very clear that the
25 mechanism for implementing the Watershed Program of

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1 CALFED is through local community organizations.
 2 The activities that we've described in our
 3 program plan are a variety of activities or tools that
 4 we can assist local communities to utilize in
 5 implementing watershed management plans and efforts.
 6 So we will, indeed, be committing resources.
 7 Those resources will be committed through existing
 8 organizations that are willing and able and have a
 9 desire to contribute towards the goals and objectives
 10 that CALFED has.

11 We will also be working to develop additional
 12 community program efforts. There are -- as many stars
 13 as you saw out there you saw as many gaps as well.
 14 Where communities have not yet come together to deal
 15 effectively with resource issues of concern to them.

16 And we will be encouraging the establishment of
 17 similar efforts in those places. So the keys to
 18 coordination, of course, as you suggested are to work
 19 at the community level.

20 And we will certainly be using our influence,
 21 if you will, to -- I won't say coerce -- but certainly
 22 encourage agencies and other organizations that have
 23 the tools; that have programs; that have expertise to
 24 make those tools, programs and expertise available
 25 through local community efforts.

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1 We will do what we can at the state level to
 2 assure that those programs and efforts are in place
 3 and funded so they can be delivered through the local
 4 level.

5 We will continue to explore the need to create
 6 new tools, new programs, new opportunities that as
 7 well can be delivered through local community based
 8 programs.

9 So that's I think what you're asking for is
 10 exactly what the program has designed to deliver.

11 ROSEMARY KAMEI: One of the things that I
 12 want to stress is that there's a lot of knowledge, a
 13 lot of work that's already done.

14 So that when I look at, you know, criteria that
 15 was set out in terms of what makes a good project and
 16 proof (phonetic) coordination, of course, is one.

17 But a lot of watershed, education and public
 18 outreach has already been done. They have learned --
 19 you know -- they have gone through what you do and
 20 what you don't do. It would be nice if there's an
 21 area of need where they're just starting up a project,
 22 starting up an area where they're going to get going.

23 Bring those who are much more knowledgeable
 24 into this early on. And so I guess that's pretty much
 25 what I wanted to point out.

1 MARTHA DAVIS: Rosemary, I think one of the
 2 issues for the watershed perspective is going to be
 3 how can we strengthen the interaction between the
 4 Watershed Work Group with the other CALFED programs?

5 It's not so much at issue -- what you get on the
 6 ground you've got a bunch of people who are dealing
 7 with real problems, and they're dealing with multiple
 8 problems.

9 So when they're looking at CALFED they're
 10 beginning to think about how do their problems and the
 11 efforts that they're making to address those problems
 12 then connect back to CALFED?

13 And is there a synergy genuinely between things
 14 that can be done locally they're going to contribute
 15 to the solution sights or avoid the continuation of
 16 problems.

17 But one of the things we haven't yet really
 18 tackled yet within CALFED is the next step is how do
 19 we get a stronger cross-communication between the
 20 programs so that within the CALFED programs overall
 21 we're taking responsibilities, we're thinking through
 22 what are these connections?

23 How is the Ecosystem Restoration Program and
 24 the Water Quality Program connected? How does water
 25 efficiency programs connect back to both of those

1 areas?

2 And if we can figure out a way to address that
 3 issue internally you're going to strengthen the
 4 capacity to work with the local communities for a
 5 successful overall CALFED program on the ground.

6 CHAIRMAN MADIGAN: Okay.

7 LYNN BARRIS: Lynn Barris, Cherokee
 8 Watershed Group. My presentation was really on
 9 linkages with the rest of the programs.

10 Because my watershed also works on sediment,
 11 getting our steelhead run back. All of those things.
 12 But what I tried to point out is that that
 13 watersheds -- look at your area holistically.

14 We must link up with the other programs -- you
 15 know -- for mine it's water transfers. But no --
 16 we're not looking at water transfers holistically
 17 within a complete watershed and how to keep a
 18 watershed healthy.

19 So it's not entirely just about funding. It's
 20 about looking at the big picture of a region or the
 21 big picture of a watershed.

22 CHAIRMAN MADIGAN: Thank you. Gary.

23 GARY NAKAMARA: I would like to make a
 24 point that the Shasta/Tehama Bioregional Council when
 25 we talk about community based groups I hope you aren't

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1 thinking that there's this community and that it's
2 somehow separate from the agencies and that there
3 needs to be some coordination there.

4 We have great local agency representation on
5 the Shasta/Tehama Bioregional Council. They're not
6 there in a official capacity because of fact and a
7 whole bunch of things.

8 But they are there in an advisory capacity both
9 helping us understand what they're doing and hearing
10 what we're saying about the coordination that's
11 needed.

12 So when we talk about community based groups
13 we're talking not about just public members but also
14 agencies and landowners at the local level.

15 So I would advocate that you empower those
16 local units of your agencies of the agencies of CALFED
17 to work with the people that they're already engaged
18 with.

19 That community base group is not a separate
20 interest group, if you will. It is part and parcel of
21 these agencies as well.

22 CONNER EVERTS: Conner Everts, Southern
23 California Watershed Alliance. I would say probably
24 is a responsive agency. Some are not.

25 And I think watershed successes that work best

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1 when it's been working with but not with the water
2 agency as a lead group.

3 And I also think the point where the
4 networking -- two quick examples are the Bataketus
5 (phonetic) Lagoon which actually meets in reclamation
6 office of their local agency.

7 And then they have a network group which is
8 made up of the four lagoons which they consider a
9 watershed in northern San Diego County.

10 The network is not an effective group because
11 it's primarily made of -- with all due respect
12 bureaucrats -- who are not a position to make
13 decisions.

14 So the watershed groups are very reactive, very
15 action oriented. But at the same time when they work
16 with the bureaucracy, collect the data, have the
17 information and ultimately can bring in some funding.
18 I think that's where we see the real successes. So I
19 appreciate your comments. Thank you.

20 CHAIRMAN MADIGAN: Thank you. Bob.

21 BOB RAAB: I was speaking to a local
22 cattle rancher yesterday. And I was pleased to hear
23 him say that he's interested and concerned that the
24 creek that runs by his land doesn't cause any water
25 quality problems down in the Delta and the Bay.

1 But specifically he and others I've spoken to
2 in the upper watersheds are not aware of a specific
3 problem that we have in the Bay that's real.

4 And it has to deal with probably with water
5 coming down from the upper watersheds and the lower
6 watersheds.

7 And that is in San Francisco Bay. The native
8 fish are sick to the point where periodically and
9 spasmodically the state and I guess the local regional
10 water board and others issue warnings in various
11 languages; they put signs around the piers in the Bay
12 saying don't eat more than two fish a month.

13 Especially if you're pregnant, if you're a
14 lady. And if you're a child. And don't eat heads and
15 organs and so forth.

16 This has been going on for almost ten years
17 now. And it's a poorly, poorly implemented program in
18 terms of what the state and federal government should
19 be doing.

20 Because they've got to the point where the
21 organization that I represent Save San Francisco Bay
22 on this board.

23 Had it raised money itself and hire a person,
24 young Oriental lady who could speak several Oriental
25 languages to go around and talk to fishermen on piers

1 and hand out pamphlets written in various Asiatic
2 languages, warning them about these dangers.

3 And we haven't got it scientifically nailed
4 down. But I think it's reasonable to say that a big
5 part of the problem of water -- poor water quality in
6 the Bay that causes lesions on the skins of fish are
7 caused by things that are done in watersheds.

8 And so you have a real target here. It's
9 really meaningful down below when you are doing what
10 you're doing to make sure that things get better in
11 the streams and rivers.

12 CHAIRMAN MADIGAN: Roberta.

13 ROBERTA BORGONOVO: I think that one of
14 the interesting things about this presentation is that
15 it -- it highlights several important points.

16 One of them is that CALFED is in this for the
17 long term. And in listening to the watershed Work
18 Groups I hear long term in all of these cases.

19 So basically they've established these
20 relationships, and it's not easy. They're working at
21 this relationships over several years.

22 So when we had the Ecosystem Work Group meeting
23 and the watershed Work Group meeting together I think
24 we agreed that certainly all of the CALFED programs
25 ecosystem restoration, water quality, the water supply

1 reliability, they need to have their own strategic
2 plan.

3 But it's this implementation on the local level
4 that has this extremely strong connection with the
5 watershed groups.

6 So one of the things that we talked about even
7 within the Ecosystem Work Group going forward is the
8 local expertise that's needed in all of these areas.

9 And that's one of the -- one of the services the
10 Watershed Group can do. They've been working with the
11 local experts.

12 So I think that's important. I think that the
13 monitoring and research comes into all of these
14 programs. So that's again another thing I think will
15 also be picked up in the Watershed Programs.

16 And I think that the education again is just
17 long -- just has continue to go forward. I wanted
18 just to go back to Alf's point before about the
19 environmental justice groups.

20 There definitely is an urban creek connection.
21 I think it was best illustrated by the Sonoma
22 Watershed Group.

23 But that's true of the urban creeks around the
24 Bay area. I think CALFED is moving forward to include
25 those groups. And again for many of them it's not a

1 a tribe is greatly lacking.

2 I think also the tribes can bring a lot to the
3 watershed groups and direct access to direct federal
4 programs.

5 They could coordinate with the CALFED goals;
6 and also direct funding that could supplement some of
7 your data collection needs.

8 There's a clean water act, section 106 is
9 available through EPA to tribes. There's also a
10 general assistance program through EPA; and also
11 several Bureau of Indian Affairs programs that could be
12 coordinated with your efforts to collect data and
13 long-term goals.

14 UNIDENTIFIED SPEAKER: Could I respond to
15 that just briefly?

16 CHAIRMAN MADIGAN: Sure. Martha.

17 MARTHA DAVIS: If I might. I'd just like
18 to say thank you. In fact, we just held a meeting
19 down in Southern California with land trust
20 organizations, watershed groups where a number of the
21 tribes representative came in.

22 And we were talking about the relationship
23 between the way in which we manage these urban
24 watersheds and the implications for the tribal lands.

25 And again the point That you've just made what

1 question of a huge amount of funding.

2 But it certainly enough funding that they can
3 participate in this kind of arena; that when those
4 groups have met together one of the point they've made
5 is the meetings are all up here in Sacramento.

6 So just keeping those groups in mind and the
7 urban as well as the agricultural connection locally
8 with the environmental justice groups I think are very
9 important.

10 CHAIRMAN MADIGAN: Thank you. Ann. And
11 then Mike.

12 ANN NOTTHOFF: I just -- one last
13 thought. I thought one of the things that struck me
14 from the presentations this morning is I didn't hear
15 anybody asking for any dams. And I just wanted to
16 point that out.

17 CHAIRMAN MADIGAN: Yes. Thank you.
18 Mike.

19 MIKE SCHAUER: Mike Schaver with the Big
20 Valley Band of Pomo Indians. I'm also with the
21 regional tribal operations committee central
22 California representative to 52 tribes.

23 I want to offer my assistance to communicate to
24 the tribes of your watersheds. Tribes are sovereign
25 nations. And any plan that's lacking the inclusion of

1 the tribal groups could bring back into Southern

2 California in trying to restore a whole land
3 management, watershed management ethic. And we really
4 appreciate it.

5 OTIS WOLAN: And, Mike, in the American
6 River Watershed we just received a \$56,000 CALFED
7 Category Three Grant.

8 20 percent of that went to the local Network
9 Mido (phonetic) Group. And the effort there is to
10 build an educational capacity that can be built into
11 virtually every program that we do.

12 It built into it travel for the presenters; it
13 had built into it a per diem so that we are very
14 conscious of that in our area and are working on that
15 in a very solid and straightforward way.

16 CHAIRMAN MADIGAN: All right. Thank you.
17 I have one speaker slip on this side of Dennis Fox.
18 Mr. Fox -- has he fallen over -- is he sitting next to
19 anyone? Okay.

20 We'll certainly pick him up when he comes back.
21 But let me again -- Bob and John and Martha thank you
22 very, very much for -- a lot of hard work and a good
23 tight and hard hitting presentation that showed the
24 effects meeting until eleven o'clock or midnight last
25 night. So thank you all very much for both your time

1 and your efforts. Mr. Fox.
 2 MR. FOX: Yes.
 3 CHAIRMAN MADIGAN: Come in, sir.
 4 MR. FOX: Yes. Thank you. I'll try and
 5 be as rapid as possible. Mainly on those couple
 6 questions that I had when this come up.
 7 I would like to -- okay. How is that? A
 8 little better? Okay. When you get into the projects
 9 I think any proposals should have an estimate on its
 10 impacts to the Delta even on the upper watersheds.
 11 Specifically a couple things would be like how
 12 that would proposal would effect the reservoir
 13 sedimentation?
 14 And because of its -- no new dams were not
 15 mentioned -- but a lot of the old dams are filling up
 16 with sediment as was noted.
 17 I don't know how I would like to see the
 18 Trinity River brought back in because I think that dam
 19 if that reservoir was -- I mean if the dam was up
 20 there was corrected you could get a couple -- you
 21 know -- an extra 100,000 acre feet.
 22 I don't know how wise it is to be hauling the
 23 sediment below the dam up and putting it into the
 24 reservoir so we could have recreational beaches every
 25 year because the washer fills the sediment in.

1 But I think it's something that should be done.
 2 The amount -- also the water of retention not only for
 3 a later water use but also for the flood alleviation.
 4 And the impact there should be included. I
 5 think it would be nice if you guys could look -- if
 6 that was looked at.
 7 And as a benefit for all the projects. And
 8 there is software coming out that would make that
 9 available.
 10 Now there's some mention on the understory
 11 removal. That when you remove the understory as Stu
 12 Pyle came up, you know, you might have a problem.
 13 One other problem that is if you remove the
 14 understory and you leave a bare dirt you might have a
 15 problem with -- one -- erosion runoff; two, star
 16 thistles especially in this area moving in and taking
 17 over.
 18 And down in the Panoche area is the Timorous
 19 (phonetic) which runs down and takes over the -- has
 20 taken over the valley floor.
 21 When you get into that Panoche I don't know how
 22 much the sediment dams are effecting that area and
 23 aiding it.
 24 And if you would remove the Timorous up there
 25 how much more erosion you would get. There's also a

1 thing about putting in some of those Timorous exotic
 2 species eat up the selenium.
 3 But then when you look at the bark going down
 4 into the (unintelligible) and then we had, what,
 5 through that with DDT and bioaccumulation. So there's
 6 a problem there.
 7 As to Clear Creek I think that gorge should be
 8 left alone. I don't think you need to bomb the gorge
 9 to save the fish.
 10 If there and as well as in the Matilaha
 11 (phonetic) when you remove the dams sediment could be
 12 a problem as it just -- is turned loose.
 13 Luckily up here maybe at Clear Creek they could
 14 probably sell it to the miners recreational project.
 15 Pipe and risers the old diversion dams are nice.
 16 I would suggest just looking at and maybe you
 17 could look at leaving a few feet of the dam in place.
 18 And putting a spawning bed behind it.
 19 About two feet of dam with a spawning bed is
 20 not that bad. That's it for me on this so far.
 21 CHAIRMAN MADIGAN: Okay. Thank you.
 22 Very much. Yes. Mr. Meacher?
 23 ROBERT MEACHER: I would suggest, if I
 24 may, sir, that since you've addressed probably six out
 25 of the nine panelists with different issues here that

1 I invite you on Friday October 1st I believe is the
 2 date to Jones and Stokes in Sacramento to our next
 3 Watershed Work Group where you can have a intimate
 4 discussion with these folks on this variety of issues
 5 that you raised.
 6 Because each one of them here could respond to
 7 you today, and we would run probably until 12:30 or
 8 so.
 9 But I think each one of these folks has an
 10 answer to your -- to the issue that you raised. So I
 11 invite you -- it's ten to three at Jones and Stokes.
 12 Mary Lee can tell you -- raise your hand again Mary
 13 Lee -- where that is on Friday October 1st. Anybody
 14 else in the room also is welcome.
 15 CHAIRMAN MADIGAN: We will do it that
 16 way. Thank you. And thank you all very, very much.
 17 Lester, we're moving on to -- no. Tell you what.
 18 We have one general comment that's scheduled
 19 for 11:30 under public comment why don't we take that
 20 and then we will move into ecosystem restoration.
 21 Chuck Desurnette (phonetic). Yes, sir. Good
 22 morning.
 23 CHUCK: Good morning. Can you hear me?
 24 CHAIRMAN MADIGAN: You bet.
 25 CHUCK: This is very brief. And at the

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1 risk of oversimplification I am as a citizen here of
2 the state, county and city in this area concerned
3 simply with numbers and quality of anadromous fish
4 because this is an indicator of our water quantity and
5 quality.

6 BDAC is, in my view, the plumbers,
7 technicians, managers who can bring about the recovery
8 of these valuable indicators of our water's resource
9 viability.

10 I hope my constituents will be able to properly
11 consider anadromous fish populations and react if
12 necessary as we have been done before with the case of
13 winter run salmon. That's the end of my statement.
14 And thank you very much.

15 CHAIRMAN MADIGAN: Thank you, sir.
16 Thanks for being here. I have another card from
17 Laurel Aims from the Sierra Nevada Alliance. Good
18 morning.

19 LAUREL AIMS: Good morning. Thank you.
20 I was here in May in Redding last year when we were
21 just starting to get your attention on watersheds.
22 And I have to tell you I'm very, very pleased with
23 today's panel presentation.

24 We've worked hard at the CALFED Watershed Work
25 Group to get everybody in watersheds in California

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1 involved.

2 And it's been interesting. The Alliance
3 represents 59 member groups up and down the Sierra
4 We've just put together a watershed council tool kit
5 which does not tell you how to restore a watershed.
6 It tells you how to get a group going.

7 There are groups starting up and down the
8 Sierras. It's very exciting time. Watersheds are
9 happening. And I'm really pleased with this morning's
10 presentation and with your interest and your comments.

11 It's a great time for watersheds. And we are
12 going to do good work in California. Thank you.

13 CHAIRMAN MADIGAN: Thank you very much.
14 Wendy. Sure, Gary.

15 GARY BOBKER: I'll make this very brief.
16 This is just a comment on an item that was in Lester's
17 ED report and --

18 CHAIRMAN MADIGAN: Gary Bobker.

19 GARY BOBKER: Gary Bobker of the Bay
20 Institute -- and was very prominent -- prominently
21 displayed in the press in August.

22 And that was one of the results of the meeting
23 between governor Davis and secretary Babbitt which
24 focused on highlighting the development of an
25 environmental water count and the development of the

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1 integrated storage investigation as very high
2 priorities for the CALFED/Bay-Delta program.

3 My comment which I'm not going to go into
4 substantive length today is not so say that those
5 aren't important.

6 But that they are somewhat meaningless unless
7 they're in the context of some other high priorities
8 for the program -- and that's the development of the
9 water management strategy which I know is very
10 important to Lester and his staff but which is
11 somewhat far behind the curve in terms of -- I mean --
12 that's the overall framework for things like
13 integrated storage investigation of the other
14 components of water management.

15 The Ecosystem Restoration Program which, you
16 know, it has made incredible progress probably far in
17 advance in many of the rest of the -- of the programs
18 that still needs a lot of work and into in which an
19 environmental water count fits.

20 The water use efficiency programs which are
21 showing great progress in terms of stakeholders coming
22 together and trying to develop a very aggressive
23 program.

24 But all of these things are just as important
25 as the two that the governor and the secretary focused

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1 on.

2 I would hate to see CALFED or stakeholders only
3 focus on those and not focus on the broader context of
4 things that have to happen to make those two a
5 success. Thanks.

6 CHAIRMAN MADIGAN: Thank you, Gary.
7 Wendy, are you properly wired for the presentation
8 here? All right.

9 Well, we're going to move into the Ecosystem
10 Restoration Program and deal with some of this before
11 the lunch hour. So, Wendy, let me call on you. And,
12 Dick, lead us on.

13 WENDY HALVERSON-MARTIN: Okay. Very
14 good. Let me just set is the stage for what we're
15 going to do here today.

16 We have a three part discussion that we're
17 going to have this morning and this afternoon about
18 the Ecosystem Restoration Program.

19 The first part of this discussion will be a
20 discussion of the process that we're looking at for
21 implementing the long term Ecosystem Restoration Plan.

22 Dick's going to do an overview of the Ecosystem
23 Restoration Program and introduce to you our draft
24 priorities for FY 2000, what we're thinking of there.

25 And then we're going to spend some time talking

1 about a package of watershed projects that will be
2 coming to you for your consideration.

3 I'd like to also let you folks know that we
4 have the two of the three Ecosystem Roundtable
5 cochairs here with us today.

6 You've just her from Gary Bobker is one of the
7 cochairs; Greg Gartrell is also here today; Jason
8 Peltier was unable to attend the meeting today.

9 BDAC and policy group have both expressed an
10 interest in strengthening the role with the Ecosystem
11 Roundtable.

12 The Ecosystem Roundtable is a subcommittee of
13 BDAC. And as such we feel it's important that the
14 Roundtable chairs and members also participate in
15 contributing their views to you rather than just me
16 standing up here telling what they said.

17 So I may invite both Gary and Greg to join me
18 today in discussing the outcomes of our recent
19 Roundtable meetings. And with that I'm going to go
20 ahead and get started.

21 CHAIRMAN MADIGAN: Wendy, hold on a
22 second. That would be fine with me by the way. Mary,
23 is there anything that you need to say to the group on
24 the record before we proceed at this point?

25 WENDY HALVERSON-MARTIN: I'm going to

1 invite Mary. She's going to come up before our third
2 piece.

3 CHAIRMAN MADIGAN: Fine.

4 WENDY HALVERSON-MARTIN: And you'll get
5 to hear from her again. Okay. Back in June we
6 started looking very seriously at the Ecosystem
7 Restoration Program implementation process to look at
8 completing the transition from early ecosystem
9 restoration which was started in 1999 and completing
10 that transition as we moved into FY 2000.

11 We wanted to make sure that the process we were
12 using to implement ecosystem projects lent itself to
13 the transition. We wanted to take a really critical
14 look at it.

15 In addition the ecosystem restoration project
16 selection process there were a number of people who
17 had expressed concerns about the process.

18 These were primarily coming from our public
19 constituents, the project proponents and local
20 governments who had engaged in the process.

21 And there were three primary concerns that had
22 been articulated to me and to the Ecosystem Roundtable
23 about the project selection process.

24 The first was that people were interested in
25 having a higher degree of transparency or needing to

1 understand better how the process worked.

2 The second was that people believed that
3 decisions about ecosystem restoration projects should
4 be made in a public forum.

5 They wanted to understand how the selections
6 were made and how the decisions were made relative to
7 project selection.

8 And the third was local governments and
9 interested parties wanted an opportunity to become
10 engaged in the process of project selection early and
11 often in the process.

12 So we sat out to do a critical review of the
13 ecosystem restoration project selection process. We
14 engaged Don Glazier (phonetic) a consultant to come
15 and help us do this critical review.

16 And we learned very some important things in
17 going through this process. The first is that any
18 project as we move into the long term has to show the
19 relationship between the individual project through
20 stage one to the long term plan and then to the
21 overall program.

22 It was not sufficient to look at implementation
23 of the Ecosystem Restoration Program independent of
24 these other aspects.

25 It was very important as we looked at the ERP

1 to identify its relationship and make sure that as we
2 select projects we can show the linkage that ties back
3 to the specific ecosystem restoration plan action all
4 the way back to the overall program.

5 It's a very important concept. We realized as
6 we started looking at things that there were some
7 trends that were becoming apparent.

8 In the strategic plan for ecosystem restoration
9 we have a fairly high level of certainty about the
10 types of actions that we want to initiate early in the
11 program.

12 And this kind of shaded bar here, we call the
13 Certainty Bar which shows as you move from left to
14 right the level of certainty in the actions you want
15 to do.

16 Highly certain as you are looking at the actual
17 year of implementation and the second year out moving
18 across the planning horizon to where you become more
19 conceptual and have actual goals that you are looking
20 to achieve; but less specific when comes to certainty
21 of actions.

22 Kind of inwards to this we have a level of
23 knowledge or understanding fairly or relatively low
24 knowledge and understanding of the system and how it
25 acts as we start implementation and increasing

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1 knowledge to be gained as move across the planning
2 horizon.
3 It's a very important concept. The ecosystem
4 restoration projects that we implement are designed to
5 provide increase levels of information as we move
6 across the planning horizon.

7 Another really important concept that we
8 learned was that in looking at implementation -- this
9 one little piece right here -- we just wanted to talk
10 about project selection that's all I was really
11 interested in doing.

12 That it became real apparent early on that we
13 had to go backwards and look at how the planning
14 horizon and the planning process fit into
15 implementation.

16 And then even that wasn't good enough. You had
17 to close the loop and investigate how monitoring and
18 assessment fit into implementation and how you close
19 the loop back into future planning activities and
20 revisions to your ecosystem restoration plan.

21 It's a very complex system. And if you think
22 about this program wide this becomes three dimensional
23 where each of the program elements have similar types
24 of plan implement and monitor focuses that have to be
25 addressed.

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1 So this has been quite a challenge in setting
2 out to look at just one piece of the process we ended
3 up having to go all the way around the full circle.

4 And we had somebody at one of the meetings that
5 we talked about this called this the circle of life.

6 And Dick and I agreed this was our lives, so --

7 You remember on the first slide I put up this
8 green bar here. And that's intended to represent the
9 strategic plan or the first seven years, stage one.

10 As we looked at the implementation process it
11 became apparent that it was going to be really
12 important to have a systematic predictable process
13 that tied to the federal fiscal year and that could
14 begin to address many of the concerns that are coming
15 from our friends in the appropriation committees about
16 expending dollars and executing contracts and doing
17 work within the year of the appropriation.

18 So we structured the implementation plan or
19 process to fit within a federal fiscal year framework.
20 And we discovered that there really are just three
21 basic functions that need to be addressed.

22 You need to develop an annual implementation
23 plan which indentifies specific priorities and that
24 that is critical. And the level of specificity in
25 those priorities needs to be sufficient that you can

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1 select projects to match them.

2 And the way that we have structured this that
3 planning activity would occur in the first quarter of
4 the federal fiscal year of the year proceeding
5 implementation of the appropriation.

6 So for example this year beginning in October
7 we will start working on fiscal year 2001 priorities
8 and annual implementation plan with the anticipation
9 of being able to have decisions made about funding
10 prior to receiving the appropriation in 2001.

11 The two other important tasks that need to be
12 executed as part of this regular systematic approach
13 we need to recruit projects and then we need to select
14 the project.

15 And this becomes an iterative loop because your
16 implementation plan feeds back into the level of
17 certainty of projects for implementation.

18 And as you define that it becomes the basis of
19 your project selection, how you recruit projects. So
20 the way that this would transpire on an annual basis
21 is in the first quarter we would develop an annual
22 implementation plan based on the seven year strategic
23 plan.

24 Beginning with the second quarter we would
25 conduct a solicitation or define other types of

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1 projects that might be considered for implementation
2 in the following fiscal year.

3 We would select the projects over the summer
4 with project selection being completed prior to the
5 onset of the federal fiscal year.

6 This is a very good thing. What it does is it
7 allows us to execute contracts beginning at the start
8 of the federal fiscal year.

9 We would expect to have those contracts
10 executed by the time of the construction or research
11 season in the spring.

12 It would allow project activities to occur
13 within the year of the appropriations and expenditures
14 to occur within the year of appropriation.

15 It's been different from what we've been doing
16 in the past. In the past we've been behind. And so
17 what we're trying to do in looking at this process is
18 make it very understandable, allow people an
19 opportunity to engage in the process often and early.

20 And we are going to make the change to having
21 decision in a public forum. The ecosystem Roundtable
22 will be the place where decisions are made.

23 One of the things that came out of the
24 development of this process was a clear statement from
25 all who were engaged or involved in the discussions

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1 that we've had that we needed to continue the step of
2 integrating projects prior to their formal
3 recommendation for funding.

4 And so I'm going to talk in a minute about the
5 action that the Roundtable has taken to insure that
6 that happens.

7 Before I do I want to put this timeline up
8 because this is really what we're trying to get to.
9 This timeline actually starts the beginning of this
10 year.

11 Back in February when we had a solicitation for
12 projects in 1999. Last month we brought forward to
13 you a recommendation to fund 33 of those projects.

14 We told people as part of that solicitation we
15 would be using those projects to form a base to select
16 projects for funding with FY 2000.

17 The thought being that if we could move quickly
18 into fiscal year 2000 that we actually have a chance
19 to move from being six months behind schedule to a
20 full 18 months ahead of schedule.

21 And this is a very big leap. And we've worked
22 very, very hard to try and actually pull this off.
23 We've conducted a public workshop talking about the
24 draft fiscal year 2000 priorities.

25 And Dick will talk with you a little bit about

1 discussion that the science panel will have regarding
2 FY 2000.

3 We plan to also lead them into a discussion of
4 the FY 2001 priorities to actually start this more
5 structured and formal process, more systematic process
6 that would lead to development of priorities for 2001
7 that could be completed prior to the first of the

8 year; conducting a solicitation beginning in January;
9 completing the solicitation in the spring and then
10 actually entering into the project selection process

11 with the goal of having projects selected prior to
12 next October in time for the federal appropriation.

13 There's been a lot of work that's gone into this.
14 We've tried to listen very carefully to all that we've
15 showed this to.

16 And it's not done yet. So what we're bringing
17 to do today is our best thinking to date about how we
18 proceed.

19 We've tried to be very responsive to people's
20 concerns. And they're very good ideas. I like to
21 think that we've done a reasonably good job.

22 But there's always ways to improve. And we
23 expect as we do this that we will continue to improve
24 upon it. What we'll be asking for you to do today is
25 to concur with the direction that we're going with

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1 those later. We've got some very constructive
2 feedback.

3 We defined the FY 2000 implementation plan.
4 And we're looking next month to be recommending
5 projects to go along with that.

6 The Roundtable meeting held Tuesday of this
7 week Roundtable asked that we insert an additional
8 step in the process for Federal fiscal year 2000.

9 And that is they wanted to see that independent
10 review, that scientific step incorporated even this
11 year as we move into the transition or complete the
12 transition.

13 So the Roundtable directed a staff to convene a
14 panel of scientists. And we have done that. That
15 panel will meet in two weeks.

16 And we'll consider the draft priorities and
17 attempt to identify projects within our current suite
18 of 1999 proposals that will help satisfy those
19 priorities.

20 And the Roundtable will be considering those at
21 their October meeting. And they will come back to you
22 for your consideration at the meeting that you have in
23 October.

24 So we're looking to move very quickly. Let me
25 just carry you on into the future. As part of the

1 this project selection process.

2 But before we open the discussion I think I
3 would like to invite the two Ecosystem Roundtable
4 cochairs if they are in the room.

5 There's Greg and Gary -- to add their thoughts
6 about how this has unfolded and transpired over the
7 last few months.

8 CHAIRMAN MADIGAN: Good morning.

9 GREG GARTRELL: Good Morning Greg
10 Gartrell, the Ecosystem Roundtable Cochair. Along
11 with Gary Bobker and Jason Peltier.

12 I'd like to say first that we are in general
13 very pleased -- the Roundtable have been very pleased
14 with the responsiveness of the CALFED staff to a lot
15 of our suggestions.

16 There have been a lot of revisions to this
17 process and a lot of input. And I think that the
18 dialogue and the result has been quite good.

19 With respect to the fiscal year 2000 projects
20 as Wendy indicated we did ask that there be an
21 additional step up review.

22 But I think the thing we're really looking for
23 as a transition is that we have a set of projects here
24 that were solicited under one set of criteria and are
25 now being selected under a second set of criteria

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1 which are not necessarily exclusive of the first.
2 They may be a subset. But we're looking for
3 some sort of correspondence between those two. We
4 would like to make sure that we're -- we've not
5 deviated too far from our original set.

6 And I think that the way that this is being set
7 up that can be handled very well and very easily that
8 way.

9 But we do need to see what might come out of
10 that scientific review with respect to alternatives
11 that the -- that might be considered that may fit
12 better in with the original set of criteria and fit as
13 well with the criteria that work into the stage one
14 process.

15 I think one other thing that I would like to
16 reiterate on the CALFED staff is the importance of
17 reporting out.

18 We have over the last couple of years made
19 numerous comments on that. The CALFED staff has been
20 very, very responsive to that.

21 We now get very large packets before our
22 meetings. I find those very helpful in tracking how
23 the projects we have put in are going.

24 I mentioned too the CALFED policy ground a
25 couple weeks ago that there is nonetheless and it's

1 Before I talk specifically about what Wendy
2 went through those of you who know me have know that I
3 often sound the note that considering the overwhelming
4 needs of ecosystem restoration in the system and the
5 funding -- potential funding that it's kind of
6 mysterious why CALFED doesn't have more resources to
7 do planning and hire staff, et cetera.

8 And have often commended Dick Daniel and his
9 folks for trying to develop an incredibly large
10 program with what I consider to be inadequate
11 resources.

12 I want to take this opportunity to say that
13 Wendy Halverson-Martin has been doing a very
14 commendable job in her role as the coordinator of the
15 program.

16 If you had to pick somebody to try to do the
17 work of five people she's probably about the best
18 person there.

19 Of course, she probably doesn't want to hear
20 that because then, you know, Lester will the say --
21 oh -- well, you do the work of five people, so --

22 CHAIRMAN MADIGAN: Always looking to save
23 money.

24 GARY BOBKER: Right. We'll eliminate a
25 few of those -- of those hires. The proposed project

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1 quite evident in those packets there is a little bit
2 of a problem with couple of agencies.

3 One of the columns on there is funds expended
4 to date. And you see an awful lot of goose eggs and
5 there awful lot of correspondence between those goose
6 eggs and a couple of state and federal agencies.

7 I know they're very busy. I have a couple of
8 projects in with both those state federal agencies.
9 One is a contract that -- that agency wrote. We
10 signed, sent back. And it's been sitting there for
11 five months.

12 It seems to be somewhat pervasive. And the
13 other one I'm waiting for biological opinion from that
14 we also helped write.

15 So I know they're very busy. But it's not
16 going to be looking very good in the long term if we
17 can't get projects out the door and the agencies can't
18 get out of their own way to get these things done.

19 so that's another thing we're going to be
20 looking for. I think Gary may have a couple of
21 comments of his own.

22 CHAIRMAN MADIGAN: Gary.

23 GARY BOBKER: I was just going to say
24 what you told me to. Gary Bobker, Bay Institute and
25 Ecosystem Roundtable.

1 selection process and schedule as it's evolved over
2 the past few months is one I think Roundtable members
3 are all very comfortable with.

4 Now we had some concerns about how it might
5 evolve over time. But I think that as Wendy talked
6 about a lot of attention has been paid to improving
7 the scientific review both at the front of the process
8 in the priority setting; the annual implementation
9 plan approach and at what we call the integration step
10 which is using various types of scientific review to
11 evaluate project proposals or directive program
12 proposals.

13 In order for those -- these proposed changes to
14 work, though, we need to make sure that we have
15 adequate linkage to the long-term ecosystem
16 restoration program.

17 I guess Dick is going to talk about that a
18 little later. But I urge CALFED and I urge BDAC
19 members to support CALFED in devoting more resources
20 to the development of a long-term plan.

21 If we are going to spend more than
22 multi-billion dollars over 30 years to restore this
23 ecosystem then we better -- we better make -- be
24 willing to make a few investments now in a
25 comprehensive plan.

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1 One thing -- the final point I want to make
2 with regard to fiscal year 2000 is that CALFED
3 proposed some different priorities as Greg had
4 mentioned.

5 They were different from what were in the 1999
6 project solicitation package. Whether those new
7 priorities -- new proposed priorities are good or bad
8 is not the point.

9 We could argue over that. But it's really
10 irrelevant. The real point is that if there are
11 proposals to change priorities then those proposed
12 changes need to be subject to adequate review both on
13 a policy and a technical level.

14 We believe that CALFED's new schedule allows us
15 to do that for fiscal year 2000 as well as for future
16 years.

17 And that's extremely important to protect the
18 integrity of a process that has such
19 broad (unintelligible) from a diverse group of the
20 stakeholders.

21 You're going to discuss the watershed projects
22 a little later, Wendy. I'll save my comments for that
23 up until then then. Thank you.

24 WENDY HALVERSON-MARTIN: Okay. So I
25 guess we are now looking for concurrence from the

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1 group or to address any questions from the group about
2 the project selection process.

3 CHAIRMAN MADIGAN: Sunne.

4 SUNNE MCPEAK: Annie has to go first --
5 oh -- actually two things: Just -- Wendy, when you
6 were talking you concluded at one point in describing
7 maybe if we could go from six months behind to six
8 months ahead and said this a very good thing.

9 And I had this flash of one of those
10 spokespersons that's famous personality who does Home
11 Improvements -- you know -- it's Martha Stewart.

12 Could we get her to record a promo for CALFED --

13 WENDY HALVERSON-MARTIN: This is a good
14 thing.

15 SUNNE MCPEAK: It's a very good thing.
16 You sounded just like her. But anyway --

17 WENDY HALVERSON-MARTIN: Just call me
18 Martha.

19 SUNNE MCPEAK: The question I wanted
20 to -- I am going to ask you -- relates back to an
21 earlier question that Stu Pyle asked about the
22 evaluation and collection of data on water use and
23 that perhaps -- I want to concur with what Stuart was
24 asking earlier -- as a matter of fact one of the last
25 meetings in which Babbitt and Dunn negotiated dialogue

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1 or facilitated dialogue and negotiated a phase two
2 report last December got to an agreement by everybody
3 of looking at use of water by watershed bi-region and
4 that meant by watershed which might be one or more
5 water districts having to come together.

6 So where I'm going is can we be mindful of and
7 if so how in all of this elaborate process to engage
8 through the Ecosystem Restoration Project allocation
9 of dollars -- the connection to the data gathering as
10 well and make that that's a part of it -- that all the
11 participants getting money are a part of it.

12 And that we really begin to build up through
13 the projects a interface with what needs to be going
14 on watershed by watershed on water use.

15 WENDY HALVERSON-MARTIN: It's a really
16 good point. And I was really pleased to hear Stu ask
17 about it earlier because that was one of the concepts
18 that evolved out of our discussion of looking just at
19 implementation.

20 We realized that you couldn't do that -- you
21 couldn't just look at implementation. And one of the
22 things that we discovered is we really needed to get a
23 handle on this concept of broad and comprehension data
24 management.

25 Not just for ecosystem restoration programs.

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1 But as a indicated this is a three dimensional
2 picture. So you could envision seven other circles
3 just like this.

4 Real time what that means and what we have done
5 is that all of the projects that are funded through
6 the Ecosystem Restoration Program including the
7 watershed projects that are funded under that are
8 required to have monitoring plans.

9 They are required to identify hypotheses and
10 develop protocols for collecting and evaluating data.
11 One of the things that the program has recently done
12 is made a decision about comprehensive data
13 management.

14 We are going to contract with the Bay-Delta
15 data -- whatever it is -- the formerly IEP
16 administered data management Center to develop and
17 house all of our data across all of the program
18 elements.

19 What this will allow is for standardized data
20 collection so that we have common nomenclature so that
21 everybody is measuring apples or oranges
22 appropriately.

23 We have a mechanism by which we can work with
24 the applicants to insure that the data that they are
25 checking is the type of information that we need.

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1 And then we have a warehouse from which we can
2 extract information for the purpose of subsequent
3 planning activities.

4 So very important concept. We are just now
5 starting to really get into it. But we have made some
6 very substantial progress recently in making decisions
7 about comprehensive data management.

8 So one of the things that came out of this just
9 looking at project selection. But very, very
10 important.

11 CHAIRMAN MADIGAN: Ann, then Alex.

12 ANN NOTTHOFF: Just given the
13 presentation that we heard this morning I guess I'll
14 ask the obvious question is how does watershed
15 management fit into the priorities here?

16 I see number three is water management, but I
17 don't see watershed listed out there. I think that
18 certainly, you know, what we heard today is how better
19 watershed management upstream will allow you to have
20 more flexible water management -- is that included in
21 the priorities?

22 WENDY HALVERSON-MARTIN: Watersheds are
23 included in the priorities. They're not explicit in
24 the list because that's a very short and generic list.

25 If you look in -- and Dick will talk about this

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1 when he goes through the priorities -- but we've
2 reinforced this at several steps in the process.

3 It was identified early on as being important;
4 not just as watersheds as a whole, but watersheds
5 within the ecosystem component and the relationship.

6 So there's really two points of focus:
7 Watershed as an independent entity and then watersheds
8 within the Ecosystem Restoration Program.

9 And we can't really separate them. They're the
10 same. And we recognize that. So we can start drawing
11 artificial lines, but they really don't mean anything.

12 So watersheds are in there. And actually the
13 policy group reaffirmed that at their least meeting.
14 They said we want to fund some additional watershed
15 projects, and we'll talk about that a little bit
16 later.

17 But as part of that they also said we want to
18 make sure that we're on record saying that watersheds
19 need to be a priority for FY 2000.

20 And here on out into the future. And I think
21 that the program has tried to be responsive to that.
22 First by developing the Watershed Program; and then
23 continuing to call out that is a separate and
24 important concept.

25 Both within the Ecosystem Restoration Program.

1 Then as its own independent entity. Does that respond
2 to your question.

3 ANN NOTTHOFF: Yes. I guess it would be
4 clearer if it were a -- just had its own -- it was
5 broken out under water management.

6 WENDY HALVERSON-MARTIN: I think what you
7 have in there is a very preliminary list. Those are
8 draft. It's subsequently been identified both on its
9 own -- all of the program elements are going to move
10 forward in FY 2000.

11 But certainly now will be specified and called
12 out and particularly under the Ecosystem Program we
13 have identified that specifically.

14 ANN NOTTHOFF: I think I'm just generally
15 looking for ways at how we can help some of these
16 watershed efforts catch up with the funding train
17 that.

18 But Ecosystem Restoration broader projects have
19 been on. So how we can work on that in the next year
20 is what I was getting at.

21 WENDY HALVERSON-MARTIN: For fiscal year
22 2000 we were looking at funding Watershed Projects
23 both under the Ecosystem Restoration funds and also
24 under the Nonecosystem Restoration funds.

25 So they actually show up in two places within

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1 the pots of money.

2 ANN NOTTHOFF: Thanks.

3 CHAIRMAN MADIGAN: Alex, then Roberta.

4 ALEX HILDEBRAND: I'm very pleased to see
5 the progress being made here. It's very comforting to
6 have the job being done under such good direction.

7 I still have a concern as to the question of
8 prior to implementation of an ecosystem restoration
9 project seeing that it's compatible with other goals
10 of CALFED.

11 For example, earlier this year a lot of money
12 was spent to grow brush in the bottom of the San
13 Joaquin River Channel upstream of Mendota Pool instead
14 of a project to grow habitat on the sides of the
15 channel as normally would be expected.

16 And this was done without regard to the effect
17 on the flood flows. And I'm told -- well, if it turns
18 out that it's going to interfere with flood flows
19 we'll remove it all.

20 Well, it isn't clear how that would be
21 financed. That's a little like saying that until we
22 pile brush in the middle of the freeway we won't know
23 whether it interferes with the traffic.

24 And so it just doesn't make much sense to me to
25 spend our scarce funds on something that's just going

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1 to cause a problem.

2 And it isn't clear yet to me that there's a
3 part of this process that says -- okay. Before we do
4 something that's going to be good for ecosystem
5 restoration we see whether the manner in which we're
6 going to do it is compatible with other goals of the
7 project.

8 And with flood control and other things that
9 are not major items in the project. But are important
10 to society. So perhaps Wendy could explain how we're
11 going see we don't do that kind of thing again.

12 WENDY HALVERSON-MARTIN: Well, you raise
13 a really good point. I hate to keep coming back to
14 how much we've learned in the last three months.

15 But we've learned an awful lot. And part of
16 it's just come from really scrutinizing and asking the
17 really hard questions about what we're doing and why
18 we're doing it and how we can do it better.

19 When we started talking within the Ecosystem
20 program about the concept of integration it became
21 real apparent this year we're going to be funding
22 other program activities.

23 And so now you're going to have eight prongs
24 moving forward concurrently. In the past -- I don't
25 want to say it was less of an issue -- but it was

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1 perhaps not as complex of an issue because it was one
2 place to look.

3 And now we're going to have eight different
4 program elements all moving forward concurrently and
5 all needing to look -- not just how does the Ecosystem
6 effect something else?

7 But how does something else effect the
8 Ecosystem and across the lines. So it became
9 apparent -- and what I'm going to say, Alex, is I
10 don't have the definitive answer yet. But we're
11 working on it. And we're aware of it.

12 But it became apparent that integration means
13 not just looking within the specific thing you're
14 working on.

15 But integration means that you need to look
16 comprehensively across the program areas for not just
17 conflicts but opportunities to enhance -- flood
18 control is a good example.

19 Where can we do flood control projects that
20 have environmental benefits or how can we structure
21 environmental projects to achieve flood control
22 benefits?

23 And that's a noble challenge. And we're really
24 going to be focusing on that. Don't have a definitive
25 answer. But we're aware of the concerns and are going

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1 to be working very hard to make sure that that happens
2 in the future.

3 CHAIRMAN MADIGAN: Go ahead, Roberta.

4 ROBERTA BORGONOVO: One of the issues
5 that's come up in some of the meetings that I've
6 attended this week is how were the CALFED priorities
7 set?

8 It was important in our governance discussion
9 that each program area would set the priorities and
10 then would send forward to the CALFED Policy Group.

11 So that's my question. And the second question
12 is however it was done one of the principles that's
13 here under the coordination is that that process be
14 open and public and easy to follow. So I just wanted
15 to have you address those two questions.

16 WENDY HALVERSON-MARTIN: The question
17 that you raise is one that we've heard in the forums
18 that we've talked about this process.

19 And we tried to be responsive to that question.
20 For federal fiscal year 2000 I try and characterize it
21 as '99 Part B.

22 Because we really did want this to be a
23 transitional year. We weren't doing a new
24 solicitation and as Greg Gartrell pointed out we need
25 to be mindful of both sets of priorities.

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1 So basically what we did is we went to the
2 stage one action list at the staff and executive level
3 within CALFED and pulled out those things that made
4 the most sense given the current progress of the
5 program.

6 That talks about FY 2000. But we realize that
7 didn't get to the very concerns that you're talking
8 about; the need to have a systematic process by which
9 priorities are developed; a public process by which
10 the public and interested individuals are given an
11 opportunity to engage.

12 And so we did develop a process that seems to
13 satisfy the concerns of individuals about priority
14 setting.

15 This is one of the pieces that we hadn't
16 defined when we started talking about this. And it
17 became real apparent -- we better get a handle on
18 this.

19 And so we came up with a process that includes
20 a science panel to generate the preliminary list of
21 priorities.

22 And this goes back to the need to insure the
23 scientific integrity of the program. And I'm talking
24 specifically about ecosystem restoration.

25 But this can certainly be expanded more

1 comprehensibly across the program elements. And that
2 we don't want to have a science panel that's in a
3 vacuum.

4 And, of course, none of you think that that
5 could ever possibly happen. I'm sure some of you have
6 had a chance to work with scientists before.

7 But we want to make sure that we've given them
8 some guidance about the parameters within those --
9 that they need to be working within such as the
10 program objectives, the potential funding constraints
11 that might arise.

12 We want to make sure that they have information
13 about the status of projects that are currently
14 underway.

15 We want to make sure they've got any new
16 scientific information. They would generate a
17 preliminary list of draft priorities that would go
18 right to the public.

19 And we would engage the public at that point in
20 an attempt to have early and open involvement with
21 local governments, local implementation entities.

22 And then once we received the comments and the
23 feedback from that process we would then take it to
24 ecosystem Roundtable which is a second public forum
25 for discussion to occur.

1 STATE OF CALIFORNIA }
2 COUNTY OF SHASTA)
3

4 I, LEAH S. BARR, Certified Shorthand Reporter
5 of the State of California, do hereby certify.

6 That on the 17th day of September, 1999,
7 at the hour of 9:15 a.m., I took down in shorthand
8 notes the said Bay-Delta Advisory Council Meeting;
9 that I thereafter transcribed my shorthand notes of
10 such proceedings by computer-aided transcription, the
11 above and foregoing being a full, true and correct
12 transcription thereof, and a full, true and correct
13 transcript of all proceedings had and testimony given.
14
15
16
17
18

21 _____
22 LEAH S. BARR
23 Certified Shorthand Reporter

24 No. 9893
25

1 And we would make the appropriate changes and
2 adjustments that needed to be made as it moved forward
3 through the approval process.

4 So this is what we came up with. And this is
5 our best thinking to date. And again this process is
6 somewhat fluid.

7 As we learn more and hear more from people and
8 get their ideas things have changed. But right now
9 what we want to make sure is that people understand we
10 are going to be responsive to that concern; that we
11 are going to have a process that allows scientific
12 integrity and public involvement and it's transparent
13 so people can understand how things develop and
14 evolve.

15 (Discussion off the record.)

16 CHAIRMAN MADIGAN: Let me point out to
17 you that you have all received copies of a California
18 Environmental Trust Document; that is for your
19 consideration this afternoon as well as a presentation
20 that you'll get on interim governance which will
21 require action. Hap.

22 (Meeting was adjourned at 11:57 a.m.)
23
24
25

1 CHAIRMAN MADIGAN: You are on the mike.

2 UNIDENTIFIED SPEAKER: I think we just want to
3 perhaps wrap-up the first part of this discussion. Make
4 sure that we've got concurrence with the group and then Dick
5 is going to go ahead and talk about the Eco System
6 Restoration Program. The science element behind what we are
7 doing in the ERP and give you an introduction to the FY
8 2000 priorities.

9 UNIDENTIFIED SPEAKER: Okay. So then we've got
10 an action on this?

11 UNIDENTIFIED SPEAKER: So concurred.

12 UNIDENTIFIED SPEAKER: So we have concurrence,
13 is that correct?

14 CHAIRMAN MADIGAN: So it looks good from here
15 does it?

16 UNIDENTIFIED SPEAKER: Looks good. Everybody is
17 happy? Cool!

18 CHAIRMAN MADIGAN: Cool!

19 UNIDENTIFIED SPEAKER: I'm going to give you a
20 little bit of an update on what we've been doing. It's been
21 quite sometime since the Eco Program, perse, has been
22 discussed here at BDAC and so a little bit of this will be
23 remedial. And I want to focus on the process that we've
24 used to develop the priorities for the early stages of
25 implementation of the program. I think I'll work backwards

135

1 here.

2 In early 1997 staff at CALFED completed a
3 working graph of the Eco System Restoration Program plan.
4 That was done in collaboration with agencies scientist
5 throughout the CALFED family. Done in-house and we had
6 planned, originally with the CALFED Program that we would be
7 putting a draft of all of our documents out for public
8 review in the late fall of 1997.

9 We were fortunate in that we had so much help
10 and we had so much previous information that we got the
11 program plan done early, so we sent it out for review as a
12 working draft during the summer 1997. When that review was
13 completed we convenience a independent science panel in
14 October 1997, to review the plan and to give us their
15 incites as to how we might improve it. They made a number of
16 very valuable suggestions including the notion that we ought
17 to adapt, develop an adaptive management program. To
18 implement the plan over time. That we ought to develop a
19 strategic plan for implementation that incorporated all of
20 the concepts of adaptive management.

21 The suggested that we focus on a couple of
22 specific of ecological processes surrounding flood plains,
23 tittle wetlands and riparian habitat early on in the program.
24 We took those points of advice from the scientific panel and
25 convenience in the summer of 1998, what we call the Core

1 Group, another team of independent scientist that had some
2 considerable experience working in the Bay-Delta System and
3 in the Central Valley and we challenged them with the notion
4 of putting together a strategic plan for implementation of
5 the program.

6 They helped us identify a process for conducting
7 adaptive management. They helped us identify focused goals
8 for the program. We had originally developed the goals in
9 sort of a public process and they were very, very,
10 generalized and we focused those goals down to six very
11 specific objectives for the program. And they started the
12 process of putting together guidelines that we would use for
13 picking projects and setting priorities for the program.

14 Unfortunately, we ran out of time and money and
15 didn't finish that process, but we did get the guidelines
16 together. During the time that we have been doing this
17 refinement of the Eco System Restoration Program Plan, CMARK
18 the comprehensive and resource program is being put
19 together. They put out a document this past spring that
20 included some generalized monitory needs for the sytem and
21 quite a number of specific papers on specific issues in the
22 Bay-Delta System. Both they and our core group of scientist
23 identified a number of ecological uncertainties in the
24 system, areas where science had not been fulfilled complete.
25 And they suggested that Wehgen we go forward with early

1 implementation and the adaptive management process, that we
2 use these ecological uncertainties as tools to develop more
3 incite into the program, to learn by doing. And I'll get
4 into that a little more detail.

5 They also, the core group also identified
6 opportunities for restoration. They suggested very strongly
7 that we continue focusing on habitat corridors and
8 particularly in corridors in the Delta. We had identified
9 in the plan four different corridors through the Delta,
10 where opportunities for developing a mosaic of habitats
11 existed and where we could have continuous bands of habitat
12 and a great deal of value associated with that.

13 The core group also suggested that we pick some
14 demonstrations streams that are tributary to the Delta,
15 where we could go in with large scale, perhaps full program,
16 ecological restoration, and deal with all of the stressors
17 in each of these tributaries, such that we could evaluate
18 the results that we might get, as opposed to individual
19 small scale projects.

20 We've had to strike a balance in putting
21 together priorities for the program. As you know, the
22 existing program is based on restoration of Eco System
23 processes, the habitats that generated by those Eco Sytem
24 processes, and the process of recovering the species that
25 are dependent on the Delta.

1 The core group also emphasized that we ought to
2 look at projects from the standpoint of information
3 richness. What uncertainties in the scientific community
4 are out there that we can elaborate on. Develop more
5 confidence in our processes by dealing with scientific
6 uncertainty. That scientific uncertainty as it reduced will
7 help us design future actions and will allow for adaptive
8 intervention. That's sort of that certainty bar on the
9 chart that Wendy started out her presentation with.

10 This is just a set of bullets identifying that
11 the twelve important scientific uncertainties that they
12 think we ought to look at. These are issues that I've heard
13 in this forum and others, dealing with introduced species.
14 The whole issue of natural flow regimes, channel dynamics,
15 contaminants, I heard come up earlier today and one very
16 important set of issues is diversion effects on fisheries.

17 We've used these critical uncertainties in
18 designing the early stages of the program so that we can
19 address them.

20 Another issued that has been with us from day
21 one, but is getting a lot of attention more recently, is the
22 conflict between the perception that the Eco System
23 Restoration Program Plan will put massive acres of
24 agricultural land out of production and generate third party
25 impacts. We found through development of the program that

1 there are a number of opportunities to work in partnership
2 with agricultural and enhance wildlife and fisheries values
3 on and adjacent to agricultural lands as part of our
4 environmental restoration process. We will be continuing to
5 develop those ideas and presenting them to you and other
6 members of the public for your concurrence.

7 Wendy also mentioned that we are developing a
8 science program and a monitoring program. The science
9 program we'll have a center, a team or panel of scientific
10 experts that will be available to us, more or less on call,
11 to advise us as we get data in from our program, help us
12 interpret that data and utilize that data in our adaptive
13 management program. As Wendy pointed out just in two weeks
14 hence we will be using a scientific panel to review the
15 priorities and help us select projects for the up coming
16 fiscal year. That will become a standing part of the
17 program as we go forward with implementation.

18 We're also going to use this scientific team to
19 help us to continue to revise the plan. The Eco System
20 Restoration Program Plan is a very dynamic document. It has
21 large scale goals and objectives and a number of targets.
22 All of which will have to be reviewed on a regular and
23 ongoing basis, revised as appropriate.

24 We'll be using peer review, the scientific
25 process of peer review to look at proposals. The monitoring

1 plans associated with proposals and the data that comes out
2 of information, which projects that we implement in the
3 system.

4 Wendy also pointed that we are working to expand
5 accessibility to the data. We will have a web-site
6 accessible by anybody's desk top computer, so that up-to-
7 date, up-to-minute data will be available for decision
8 making processes and we are proposing an annual, or perhaps
9 once every two year scientific conference where the state of
10 the science in the Bay-Delta System is presented
11 objectively, subject to peer review, and discussion and
12 debate.

13 Heretofore, one of the biggest problems that
14 we've IHD in the Bay-Delta Eco System, despite the fact that
15 a great deal of work is being done by the CALFED agencies
16 and others, is that more often than not, the forum in which
17 that data is being presented tends to be somewhat
18 contentious. More often than not, the data that we get from
19 all the work that is being done in the Delta is presented in
20 front of the State Water Resources Control Board, at some
21 sort of a water right hearing, and it isn't an objective,
22 scientific process when it's done that way and it's the
23 lawyers that is cross-examining the biologists, not their
24 peers.

25 We think a periodic science conference will

1 really strengthen our understanding of the system and drive
2 data analysis on a more reasonable schedule than what we've
3 had in the past. That was a little bit of an editorial
4 statement.

5 The monitoring program, once again, I'm
6 repeating myself. Data management is very important part of
7 it. We have to make sure that the CALFED agencies, in the
8 CALFED program fund the processing of the data. Fund the
9 analysis of the data and it is our intent to the extent
10 practicable to publish that data in peer review journals so
11 that it is accessible to the entire scientific community.
12 And so that we get free review of the data that we put
13 together. Most of our monitoring program will build on
14 existing monitoring that is going on in the Bay-Delta System
15 and in the tributaries. But we are going to have to fund
16 augmentation of the existing program that is going on.

17 Additionally, we will end up supplementing the
18 monitoring programs that are being put together for the
19 individual projects. We'll essentially have a dual
20 monitoring system, where every project is designed around a
21 hypothesis and a conceptual model. Some expectation of what
22 the results will be and that will be monitored. In addition
23 to that, the whole system will be monitored so that we can
24 see population level responses for the interventions that we
25 undertake.

1 Regional planning and monitoring will also take
2 place, as you might recall, we've broken up the Eco System
3 Restoration Program Plan into fourteen ecological units,
4 each one of those units is expected to perform and produce
5 in a certain way, as we go forward with implementation of
6 the program. And we will be monitoring progress in that
7 regard.

8 A couple of things that we are working on that
9 I heard discussed a little bit earlier today, we're
10 developing a process to develop a long-term plan for in-
11 stream flows and environmental water purchases. That will
12 be complimentary to the environmental water account. There
13 is considerable scientific debate as to what mechanism or
14 means one ought to use to determine appropriate in-stream
15 flows. We're going to take that issue head on early next
16 spring.

17 Watershed management again, you all have
18 affirmed the idea that the Eco Sytem Restoration Program
19 Plan needs to be integrated with the Watershed Management
20 Program. We agree and we are in the process of doing that.

21 Another serious issue that we have to deal with
22 very early on is mercury. It turns out that the Central
23 Valley of California is terribly polluted with mercury.
24 Most of it driving from the gold mining era and it is
25 residual in the system. We funded a little bit of

1 preliminary research last year and the results are very
2 disturbing.

3 It turns out that mercury in it's elemental
4 state is not terribly toxic. But is mentholated through
5 biologically processes and becomes biological available and
6 one of the major pollutants of our fishes in the Bay-Delta
7 Sytem is meth-mercury and we've got to figure out a way to
8 management that and control it before we go forward with
9 large scale habitat programs that might actually exacerbate
10 the problem.

11 Another major priority that we've pursuing that
12 I think needs to be emphasized, is that throughout the last
13 three years, a number of projects and particular a number of
14 projects on the main -- Sacramento River, have been funded
15 in their early stages. In some cases it's feasibility
16 development. In other cases it's step one of a number of
17 steps of a given project. We want to continue to build on
18 that. It doesn't make sense to generate a hiatus in the
19 funding of good projects that have generated good
20 information and positive results. So a very major priority
21 in this years funding and next years funding will be
22 subsequent phases of projects that have already been
23 started. And again, the agricultural issues is an area
24 where we are going to have to focus a lot of time and
25 attention.

1 Okay. Some specifics. In the Delta, our
2 scientific core team and the team that has been working on
3 diversion effects on the fisheries have suggested that we
4 need to develop and evaluate the benefits of tittle wetland
5 habitat in the Delta. An area where there is some
6 scientific uncertainty as to what the results might be.
7 Questions as to whether or not that habitat will be occupied
8 by the native species that are our targets, or some of the
9 introduced species that are not a major part of the program,
10 in terms of pursuing restoration.

11 The diversion effects on fisheries team
12 suggested that we take some opportunities to restore tittle
13 wetland and riparian habitats along Georgiana Slough, for
14 those of you who are familiar with the Delta, Georgiana
15 Slough is a major distributary that connects the Sacramento
16 River with the interior of the Delta. A number of juvenile
17 salmon migrate through that Slough and are mysteriously lost
18 as they migrate through there. We don't know if this is a
19 direct affect of the pumps and entrainment, or if it's a
20 function of lack of habitat, escape cover, and high rates of
21 predation. So we've already initiated some projects in
22 there and we will be evaluating those.

23 Early on in the program we talked a lot about
24 setting back levies and restoring habitat in the process of
25 doing so. We have been educated much more completely over

1 the last couple of years and have come to grips with the
2 costs associated with setting back levies and the risks
3 associated with setting back levies. So we are going to
4 entertain some pilot studies to evaluate more further the
5 feasibility of doing that and the -- in terms of habitat
6 restoration, public safety and costs.

7 Another major issue that we want to advance over
8 the next year or two is a serious evaluation of the need to
9 screen small agricultural diversions in the southern portion
10 of the Delta. There are those that argue that we ought to
11 screen every diversion that we can find and others that
12 point to the lack of data as to the impact of small
13 unscreened diversions in the Delta and the reality of the
14 costs and technical difficulties of screens in a area where
15 there is a high debris load and tide action. So we are
16 going to be moving forward and cautiously investigative that
17 particular issue.

18 I don't know how well this is going to show up.
19 This was an attempt to be really creative and I'm not sure
20 it worked. For the southern Delta, and CALFED started out
21 early on talking about grouping projects together
22 geographically, and south Delta came up as one of the areas
23 of focus, and I'm going to throw a little bit of cold water
24 on that idea. Difficult to see, but the red outline is the
25 area that we working on that we're calling south Delta. It

1 includes the southern portion of the Delta, the central
2 Delta, and the western Delta.

3 This one if it shows up, this is the same area
4 without the little red line around it. These are some
5 examples of areas in the Delta where we think we can
6 implement habitat restoration without generating major
7 conflicts with agriculture in the Delta.

8 For example, this is Sherman Island, it's owned
9 by the State of California. Here in Frank's Track, these
10 little green outlines, are some concepts that we have for
11 using clean dredge spoil material to develop habitat in that
12 particular area that has been underwater since the 1930's.
13 This green blob here is Palm Track. It is a privately owned
14 piece of land in the Delta. It is not used for farming. It
15 is currently being used or being developed
16 as a mitigation bank.

17 Just off of Quimby Island is Little Mandeville
18 Island. The owner of that property would like to convert it
19 to habitat. It was flooded six years ago and he has not
20 reclaimed the island since.

21 So these just give you some examples. There are
22 a number of areas here that you see around the levies, in
23 green, those are areas that we've been looking at in terms
24 of the feasibility of building a berm in the water on the
25 outside of the levy to increase habitat and reduce conflicts

1 with levy management.

2 Once again, the concept of habitat corridors
3 that came from our collaboration with the scientific core
4 team, early on in implementation of the program plan we are
5 going to be focusing or we're proposing to focus on a north
6 Delta habitat corridor, which is along the Mokelumne and
7 Consummes River. An east Delta habitat corridor, oh, excuse
8 me, the north Delta habitat corridor is along the yellow
9 bypass, the east Delta habitat corridor is the Mokelumne and
10 Consummes River, and then a corridor of habitat which will
11 be primarily small patches of habitat, along the San Joaquin
12 River itself as it flows through the Delta. And I have --
13 this is a little bit of a picture, it gives you some idea of
14 what we are thinking about in the east Delta corridor. Of
15 course, and I know many of you have visited the Consummes
16 River Preserve. We have continued to work the nature
17 conservancies to expand both the size and variety of
18 habitats on the Consummes River Preserve.

19 Up here where it says wetlands, that's an area
20 that is currently -- in holding in the stone lakes preserve.
21 We have some opportunities there to deal specifically with
22 endangered species.

23 This long skinny property which is right
24 adjacent to Delta Meadows is another privately owned habitat
25 mitigation bank, where the owner would like to collaborate

1 with us and expand some opportunities there.

2 McCormick Williamson Track, is a property in the
3 Delta that is subject to very frequent flooding. The land
4 owner would, frankly would like to unload that property,
5 because it is not economic to farm there. That's property
6 that we have been working on for quite some time, and I'm
7 told as of yesterday, escrow is suppose to close on the 30th
8 of September.

9 A very exciting opportunity exists on Staten
10 Island to expand the program of what we call wildlife
11 habitat friendly agricultural. Where the owners of the
12 island would change their farming practices slightly in
13 order to enhance wildlife caring capacity on the island and
14 they would be compensated through an easement to do so.

15 Together this represents the east Delta habitat
16 corridor, there is nothing like that in the State of
17 California today and there may not be many opportunities to
18 go with such a large scale restoration, without generating
19 large scale conflicts.

20 As I mentioned a little bit early, the original
21 science review panel and the core team both talked a lot
22 about the need to reestablish flood plains along our river
23 systems in the central valley of California. That may well
24 be one of the largest man made changes in the Eco System, is
25 the dams and reservoirs and levees that no long allow our

1 rivers to get out of their banks and on to their flood
2 plains.

3 What we will be doing is integrating flood
4 management opportunities throughout the program. Particular
5 opportunities allow for that along the Consummes and lower
6 Mokelumne River, and I've got a little bit of a graphic to
7 show you on that. We're doing needs and opportunities
8 analysis' in terms of looking at the Yolo Bypass. We found
9 in recent years as the result of some CALFED funding for
10 research that the natural processes that occur in these
11 bypasses or these surrogates for natural flood plains, favor
12 the native species and do not favor the introduced species
13 like large mouth bass and striped bass. Because of the
14 seasonal flooding and the adaptation of seasonal flooding
15 that our native species have, it does provided habitat for
16 split tail delta smelt and salmon, but because those flood
17 plains are not flooded year round they don't tend to be
18 occupied by large mouth bass and other introduced predators.

19
20 We're also taking a look at the lower end of the
21 San Joaquin River where there are some flood management
22 concerns and problems and opportunities as well. We are
23 working with the Core of Engineers through their
24 comprehensive planning program for the Sacramento and San
25 Joaquin systems to identify areas where levees can be set

1 back, areas can be opened up, where habitat can be generated
2 and additional flood management capacity is part of the
3 design process.

4 This is that same difficult to see picture of
5 the east Delta. In the point pleasant area, the flood plain
6 of the Consummes River we have had some serious flooding
7 problems in recent years. Certainly, in 1997, that area
8 flooded quite a bit. What we will be doing there is working
9 with the Sacramento Flood Management people, the Army Core
10 of Engineers and the land owners to provide easements not
11 unlike a bypass, where we will fund elevation of some of the
12 houses and structures and continue to allow a limited area
13 there to flood, such that we can accrue some flood plain
14 habitat, actually, hopefully, stall the urban growth that's
15 moving in that direction from Sacramento. Maintain the
16 agriculture productivity of the land even in the face of
17 tremendous pressure to develop subdivisions.

18 I mentioned the Yolo Bypass -- we have some
19 pretty good opportunities in the Yolo Bypass, because the
20 State of California already has a flood easement on that
21 property and because it floods on a fairly regular basis,
22 agriculture in the Yolo Bypass accommodates the periodic
23 flooding and you don't have permanent crops, it is primarily
24 rice.

25 Along the toad drain, which is that long skinny

1 line, there are opportunities to push some riparian
2 vegetation in the Yolo Bypass, a riparian corridor would be
3 established there. It would be about 300 feet wide and
4 that's an important biological design criteria. As you
5 probably know we have been in the process of developing
6 habitat down at the bottom end of the Yolo Bypass on
7 Prospect Island and we're in the process of working with the
8 U.S. Fish and Wildlife Service to develop, to acquire and
9 develop Liberty Island, both of those properties will be
10 managed as title wetlands and will compliment the riparian
11 corridor that we are hoping to put into the Yolo Bypass.

12 Those are all examples of ways and means that we
13 might implement the recommendations for priority action that
14 have come out of the various scientific processes that we
15 have been undertaking.

16 Another area that we're looking at are the
17 tributaries streams to the Delta. I mentioned that the core
18 group suggested that we do some demonstration projects. I
19 should have looked at these at home. We have identified as
20 candidates for demonstration projects, the Tuolumne River
21 tributary to the San Joaquin. Deer Creek which is right out
22 here, tributary to the Sacramento and Clear Creek. Each of
23 those streams has different characteristics. Different
24 problems. Different races of salmon and other fishes that
25 use them. And we're currently conducting with a small group

1 of independent scientist and consultants a tributaries
2 analysis. Where their ground truthing the Eco System
3 Restoration Program plan for those specific streams. As
4 they complete their ground truthing, what they are giving us
5 is data that identifies various reaches of the stream,
6 identifies the problems that are there and the opportunities
7 that exists. I don't know if this one is going to show up
8 any better, no it doesn't. When we've completed these
9 tributary analysis, we will be taking those scientific ideas
10 and objectives into the regional contexts with the
11 conservancies, the resource conservation districts and the
12 county planners, with an eye towards presenting our
13 objectives and the science behind our objectives, and
14 working with the regional folks who live on the land and who
15 manage the water to develop a plan for implementation.

16 We've done some of that so far. It's kind of
17 modeled after the suggestions that we've gotten out of the
18 watershed program. It has been very productive to date.
19 And we expect it to be much more productive in the future.
20 That's what I have in terms of specific graphics. A quick
21 overview of about the last eighteen months worth of work.
22 All of which I think has been very productive. Any
23 questions?

24 UNIDENTIFIED SPEAKER: With regard to the
25 environmental water acquisitions, you are planning to focus

1 on those in the Spring? I wonder, my question is will you
2 have a work plan on that and if so what kinds of topics will
3 the work plan address?

4 UNIDENTIFIED VOICE: The process that we want to
5 initiate this spring is an expanded look at the science
6 behind developing recommendations for in-stream flows. The
7 vast majority of tools available for identifying in-stream
8 flow needs are focused on the needs and preferences of fish.
9 They don't focus on maintaining the health of the stream.
10 They don't focus on maintaining ecological processes that
11 allow streams to meander, that transport gravel, that allow
12 for the regeneration of riparian vegetation. What we would
13 like to do is break some new ground and expand the
14 scientific thinking about developing in--stream flows.

15 So that's a process. What we hope to get out of
16 that is consensus on a new methodology for determining what
17 is appropriate for in-stream flows. The ERP also has a
18 program calling for acquisition of water to augment in-
19 stream flows when we know what they ought to be.

20 That program in terms of stage one, the first
21 seven years of the program, has as a sort of general
22 objective the acquisition of about 100,000 acre feet of
23 water in terms of permanent water rights for augmentation of
24 flow in-stream. We're coordinating with the environmental
25 water account, which is focusing on flow in the Delta and

1 the way this will turnout is a dual function, where flows
2 derived upstream are timed and directed to achieve the
3 objectives of the EWA in the Delta.

4 UNIDENTIFIED SPEAKER: Among academics for
5 decades on in-stream flow methodology, am I to understand
6 that you are saying no acquisitions until you've developed
7 a new mythology, which I think would take a long time?

8 UNIDENTIFIED SPEAKER: No, I'm not saying that.
9 We have in-stream flow targets in the Eco System Restoration
10 Program Plan for all of the streams tributary to the Delta
11 and the two main streams. That's a very ambitious and
12 aggressive program that will require at least 400,000 acre
13 feet of water to implement. The water market, and we've
14 also declared as a matter of policy from CALFED from day
15 one, that we're not going to take water away from anyone.
16 That we've going to acquire this water either through new
17 development of new supplies, or on the market with willing
18 sellers with due diligence in terms of dealing with third
19 party impasse to acquire a 100,000 acre feet of firm water
20 rights over a seven year time period is quite a challenge in
21 and of itself and that represents a quarter of what we thing
22 we need.

23 So we can go forward, acquire water, put it
24 where we think we need it, manage it in a way that we think
25 is appropriate, while we are developing these new scientific

1 methodologies.

2 UNIDENTIFIED SPEAKERS: Okay. We have Byron,
3 Tib's, Stu and Bob and then Alex. Byron.

4 BYRON BUCK: Am I on? I will be. There we go.
5 Thanks Dick, that was pretty comprehensive overview. I note
6 on that there is a lot of controversy among the biological
7 community on the South Delta fresh water emergent habitat,
8 and whether that's a good ideal or a bad ideal, and I think
9 it is certainly appropriate that we go ahead and start doing
10 some test projects and see what it does. What would be the
11 indicators it's going to tell us it's a good ideal or a bad
12 idea, or the results rather of how we know that's good or
13 bad?

14 IDENTIFIED SPEAKER: And I'm part of that
15 scientific community that is pretty much on the fence in
16 terms of habitat in the Southern portion of the Delta. And
17 the issue is if you do add additional seasonal flooding or
18 title wetland habitat in the Delta, and if the fish come
19 will they be sucked into the pumps? And I've talked in
20 front of this group early on in the program that the habitat
21 in the Southern portion of the Delta might be an attractive
22 nuisance.

23 On the other hand, I also support the idea that
24 the additional habitat may allow important fishes in the
25 Southern portion of the Delta to get out of harms way. And

1 we don't know if that's going to happen or not. So we're
2 putting together a couple of small scale and by small scale,
3 I think we are talking about 100 acres each, title wetly
4 development where we will mark and monitor fish, evaluate
5 whether or not they use the habitat, if they use the habitat
6 and have that escape cover, or are they able to avoid
7 entrainment. If they use this habitat and the escape cover,
8 are they able, more able to avoid predation. And then as
9 part of the SMART Program and the larger scale monitoring,
10 do these differences have the effect on the population as a
11 whole?

12 Those are important questions that have a great
13 deal of bearing on how our water projects are operated in
14 the Southern portion of the Delta. Also by going in with
15 what I consider to be relatively small scale projects, they
16 are reversible. We are not talking about putting whole large
17 islands out of production in order to conduct these
18 experiments. And if it turns out they do generate a
19 problem, we close them up and use them as waterfowl habitat
20 as opposed to fisheries habitat.

21 UNIDENTIFIED SPEAKER: Tub.

22 TUB BELZ: Dick, when you talk about the
23 purchase of tracks within the Delta. Are these governmental
24 purchases, federal, state or private environmental groups?
25 Who are the main purchasers?

1 UNIDENTIFIED SPEAKER: The purchases that we've
2 undertaken to date, or are in the process of pursuing sort
3 of cover the gamut. As you know CALFED is not a real legal
4 entity so we can't acquire property as the CALFED Program.
5 U.S. Fish and Wildlife Service is working as our
6 representative in the -- lakes area and the Yolo Bypass.
7 The Nature Conservancy has been the lead in terms of looking
8 at the McCormick Williamson Trac property in the east Delta.

9 Some other lands that I pointed out are existing
10 state owned or federally owned properties where we'll modify
11 the management and enhance the fish and wildlife per
12 activity of the properties. Once that I just started
13 working on this week, is a property, well it's Little
14 Mandeville Track which is a small flooded island that the
15 Duck's Unlimited just acquired an easement over that
16 property and are working with us to go further with this
17 habitat development. So it's pretty much all over the map.

18 UNIDENTIFIED VOICE: Stu.

19 STUART PYLE: Dick, these programs that your
20 describing in the west Delta, east Delta, Yolo, etc., are
21 any of those under curtain round table financing or are they
22 all just in the pipeline waiting for the ROD and additional
23 permitting, etc.?

24 UNIDENTIFIED SPEAKER: The McCormick Williamson
25 Track acquisition was approved, funds for it were approved,

1 I think two years ago. One little spot that I indicated in
2 Stone Lakes was approved last year and we're making,
3 proposing to make some modification to that contract to make
4 it work.

5 Well, Liberty Island was approved as a project
6 acquisition, I think in one of the very first rounds of
7 funding through the round table, as is, portions of the
8 Prospect Island development. But all of the projects that
9 we propose go through the round table process at one stage
10 or another. That's the only funding mechanism that we've
11 got.

12 STUART PYLE: But basically, you're talking about
13 items that will be began to be begin initiated once you have
14 the ROD and get into more?

15 UNIDENTIFIED VOICE: Yes.

16 STUART PYLE: More, EIR's, etc.

17 UNIDENTIFIED VOICE: One of the things that
18 we're doing at CALFED and I think it's appropriate is that
19 we have a heck of a lot of work to do and in really what is
20 relatively a short period of time. And that's particularly
21 true with the ECO System Restoration Program.

22 We need to make this system perform a heck of a
23 lot better as soon as we possibly can. So we're doing the
24 kind of planning and preparation work that is needed to hit
25 the ground running when the ROD is finally signed and the

1 Prop. 204 money is made available.

2 The other aspect of it is that to date, between
3 Proposition 204, that early sixty million dollars, the money
4 that came out of the program out of the accord, and the federal
5 funding, we've had quite a bit of money to work with in
6 terms of very early implementation. What we are doing now
7 is piecing all of those individual projects together as part
8 of a larger whole.

9 STUART PYLE: Is that Consummes corridor have a
10 lot of restrictions from transportation barriers and all
11 that type of thing? Or is it pretty, does it have a lot of
12 openness -- will move up?

13 UNIDENTIFIED SPEAKER: The Consummes River is
14 the only undammed stream direct tributary to the Delta.
15 It is a very flashy hydrology. And floods are very common
16 along the Consummes River, so the level of development has
17 been commensurate with the flood risks. It is fairly low
18 scale agriculture. And virtually no subdivisions in that
19 area as of yet. Relatively little infrastructure. So it
20 lends itself to this cooperative and collaborative process
21 where we incorporate agriculture, fish and wildlife habitat,
22 and relatively benign flood management practices all in one
23 major corridor.

24 I regret there aren't that many opportunities in
25 California anymore to do that.

1 UNIDENTIFIED SPEAKER: Bob Raab.

2 BOB RAAB: This is about the part that has to do
3 with the long-term plan for in-stream flow in environmental
4 water purchases. Would it be fair to say there is an
5 implicit or even an inherent conflict between a long-term
6 plan for determine what in-stream flows are and then
7 attaching environmental water purchases, unless you know
8 what a minimum sustainable base line flow is in any given
9 stream? I'm trying to reconcile what maybe conflicts. So
10 I guess my question is, is there going to be some kind of
11 determination stream-by-stream, what the flows are needed in
12 that particular stream for sustainability?

13 UNIDENTIFIED SPEAKER: Yes. And right now we
14 don't think the ideal method for determining those needs
15 exists in the scientific community and we're going to
16 facilitate developing a much better tool to use to determine
17 what those baseline flows ought to be.

18 BOB RAAB: Just a quick follow-up, does that
19 mean then that you wouldn't start selling any water out of
20 a given stream until you know what an acceptable amount of
21 water is available for selling for water purchases and still
22 maintain sustainability? And the purchases aren't going to
23 come before the determination?

24 UNIDENTIFIED SPEAKER: As I tried to explain to
25 Hap and I know this is a little cart before the horse sort

1 of thing. The in-stream flow needs for the streams tributary
2 to the Delta, are so great that it is going to take decades
3 of water purchases, of reoperation of existing facilities
4 and quite probably new water development to meet those
5 needs. That can go forward hand-in-hand with the
6 development of the more scientific detailed process for
7 determining exactly what is needed.

8 I can guarantee you we're not going to over buy
9 water and on the other side of the coin, I don't think with
10 the current development and current use, and current
11 allocation of water rights in the Central Valley of
12 California that there really is enough water available on
13 the market to meet the targets that we have in the -- right
14 now. But we're going to pursue it while we're developing
15 this additional science. And it's those last increments of
16 water for in-stream flow that are going to be the most
17 difficult to acquire and will require the greatest amount of
18 science behind definition of the need.

19 UNIDENTIFIED SPEAKER: Dick, just a point of
20 clarification based on Bob's question. I was under the
21 impression that the 400,000 acre feet that you say is
22 minimum out flow or in-stream flow, is the accumulate total
23 of using the crude science we have today, best estimates and
24 adding up on the major streams and tributaries, what you
25 think is needed and that is actually lower than whatever I

1 expected it to come in at, but is that not true? So what
2 needs to be done is to continue to refine the science and in
3 an adaptive management process, see whether or not that
4 target made a difference and if it made enough difference to
5 of restored the fisheries to health, as we have defined it
6 in the ERP?

7 UNIDENTIFIED SPEAKER: You've said it exactly as
8 I should have.

9 UNIDENTIFIED SPEAKER: I'm sure that's not true.

10 UNIDENTIFIED SPEAKER: The sum of the targets
11 that are in the ERP now, and I wouldn't characterize the
12 science as crude, but it is inadequate.

13 UNIDENTIFIED SPEAKER: Right. I shouldn't --

14 UNIDENTIFIED SPEAKER: Totals about 400,000 acre
15 feet. That goes along with the existing in-stream flows
16 that are required below dams through the tributaries.
17 That's over and above what is currently released as the
18 result of regulatory processes and that is added to the
19 800,000 acre feet that is in the Central Valley Project
20 Improvement Act.

21 So in recent times we've identified the need for
22 1.2 million acre feet of additional in-stream flow.

23 UNIDENTIFIED SPEAKER: Alex, followed by
24 Roberta.

25 ALEX HILDENBRAND: Well first, I want to

1 compliment Dick, I think he has made a lot of progress in --

2 UNIDENTIFIED SPEAKER: Would you repeat that?

3 ALEX HILDENBRAND: Is that such a startling
4 thing? You know I call -- as I see them. When they are
5 good, they are good, and when they are bad, they are bad.

6 UNIDENTIFIED SPEAKER: Thank you.

7 ALEX HILDENBRAND: No, I think you've done, --
8 made a lot of progress in improving the specificity and the
9 capability of his proposals for habitat that he presented
10 earlier in the presentation here.

11 In the course of discussion it's become evident
12 today as it has many other times that the biologically
13 judgements are tied in with the validity of their hydraulic
14 assumptions and one of the concerns that I've had
15 increasingly, as we go more and more toward implementation
16 is that we have these scientific panels, that scientist
17 presume to be biology and not engineering. Engineering is
18 just applied physics and chemical engineering involves
19 chemistry which gets involved in a lot of quality matters,
20 so that I think as we go into implementation we have to have
21 the technical -- the term good science has to include the
22 whole gamut of technology, from engineering through biology
23 and -- methodic things. And I don't think we are adequately
24 doing that.

25 I heard presentations before the State Board by

1 biologist that in my judgement and that of other hydraulic
2 engineers was based on misunderstandings of hydrology. We
3 have to know what's hydraulically feasible. What's
4 chemically feasible in the way of the water quality and the
5 biologist just aren't always the best ones to make those
6 determinations and so we need to bring the entire gamut of
7 technology to bear and I would urge that when we talk about
8 scientific review, we should mean the entire spectrum and
9 not just part of it.

10 And so I offer that thought as a way to be more
11 sure that what we do will have less uncertainty than it
12 would otherwise have.

13 UNIDENTIFIED SPEAKER: I agree with you and I'll
14 follow-up a little bit. That was a statement. But we're
15 using engineers as hydrologists, geologist, -- on a regular
16 basis to refine this plan. That's the kind of staffing
17 that's on the tributary assessments that is going on right
18 now. In the work that I've been initiating with -- in terms
19 of the South Delta and looking at flood management stuff,
20 we're using the engineers that work the reclamation
21 districts to provide us with advise in addition to the Core
22 of Engineers. Because they know how the system works.

23 And they have been very insightful and actually
24 enthusiastic about working with us to solve mutual problems.

25 ALEX HILDENBRAND: Well, maybe I'm particularly

1 sensitive on this because of the failure to do that and
2 things like the South Delta improvement program.

3 UNIDENTIFIED SPEAKER: Roberta.

4 ROBERTA BORGONOVO: I think you partially
5 answered the question, but, I thought that one of the things
6 that Bob Raab was asking for, was what is the baseline. And
7 so you are saying the baseline, there is a baseline there
8 which would be what the accord standards, it includes all of
9 the 800,000 acre feet, biological opinions?

10 UNIDENTIFIED SPEAKER: As we developed targets
11 for in-stream flow and all the tributaries to the Delta, we
12 started with the baseline being the accord, in terms of
13 Delta out flow, the existing X2 requirements in the Delta.
14 And the in-stream flow release requirements on all of the
15 dams in the Central Valley that -- dam streams that are
16 tributary to the Delta. We then took the work of the
17 Department of Fish and Game, Fish and Wildlife Service and
18 National Marine Fishery Service, that it was developed as
19 part of the -- fish restoration plan under the Central
20 Valley Project Improvement Act. We took those
21 recommendations which are over and above, in most cases,
22 over and above the existing regulatory requirements, looked
23 at it from the standpoint of not only are those flows --
24 would those flows -- fish in a more optimal way
25 but also would those flows support the ecological processes,

1 like meander, like transport of gravel, like stimulation of
2 riparian vegetation to fit in with the ecological processes
3 that we have identified in the Eco Restoration Program.

4 What we found was that no one could advise us on
5 that last increment in terms of whether or not the proposed
6 in-stream flows which support ecological processes.

7 Furthermore, we did not find a methodology that
8 we could apply, a model that we could apply, that would give
9 us those incites. So what we've concluded is that we've got
10 to start with a baseline flows that are in the streams now.
11 We've got to start with the recommendations that came out of
12 the -- fish restoration plan and build on that, both in the
13 field, in terms of observing, what these changes and flows
14 generate and in the scientific process where we can develop
15 imperial models that we can use stream-by-stream to
16 determine what the proper flows ought to be.

17 Then the arguous process of trying to figure
18 out an equitable way of obtaining those flows.

19 ROBERTA BORGONOVO: So, that was part of my
20 question. The AFRP flows are part of that 400,000 acre feet
21 that you think is needed additionally, above the accord?

22 UNIDENTIFIED SPEAKER: Yes.

23 ROBERTA BORGONOVO: Required below the dams?
24 I think that the other point that was made earlier in the
25 evening, we were talking about the watersheds, however, is

1 this kind of overall accounting of the ground water, surface
2 water flows, so there has been so much work that has been
3 done within CALFED looking at reoperations, trying to
4 incorporate the Central Valley Project Improvement Act, but
5 as a lay person is that ever going to show up on one of
6 these easy charts that we can keep track of? Because I
7 think one of the questions that arises, when you are, it
8 will arise for all of the methods of trying to augment the
9 flows needed for the Bay-Delta and that will be where they
10 will come from and what will be the impact.

11 I mean, my way of thinking if you have more
12 water coming down through the Bay-Delta and out through the
13 gate, that is going to help the Bay-Delta. Because there has
14 been such depletion, but, I think that that is important
15 information to have.

16 UNIDENTIFIED SPEAKER: Yeah, we introduced this
17 concept a couple of years ago to BDAC.

18 ROBERTA BORGONOVO: Right.

19 UNIDENTIFIED SPEAKER: As the time value of
20 water.

21 UNIDENTIFIED SPEAKER: And temperature.

22 UNIDENTIFIED SPEAKER: And management of
23 temperature. And we believe pretty strongly that flow in
24 our rivers and flow to the bay has differing values during
25 different hydrological patterns, drought versus flood, and

1 different value in different times of the year and so -- and
2 because it is such a precious resource, we're focusing in on
3 knowing when and how much flow augmentation is appropriate
4 and what kind of benefits we can expect to accrue from that.

5 Now in terms of integration and the overall
6 CALFED program, I wasn't here earlier, I'm hoping Lester
7 talked about the water management strategy and the
8 development that is going on in that. But that's where the
9 integration between the ERP flows, the EWA flows,
10 reoperation or alternative operations of the water projects
11 and how we will integrate new supplies over time into the
12 system all comes together.

13 UNIDENTIFIED SPEAKER: Richard, and then
14 Supervisor Meacher. -- comment --

15 RICHARD IZMIRIAN: I want you to know that my
16 vacation starts as soon as this presentation is over. My
17 truck is parked outside, I'm out of here.

18 UNIDENTIFIED SPEAKER: Are you going fishing,
19 Dick?

20 RICHARD IZMIRIAN: No, I'm going deer hunting.
21 My points of questions were pretty much covered by Hap and
22 Bob and Roberta and Sonny on the in-stream flows and I
23 appreciate your responses Dick.

24 But this is the section of document where I had
25 all the stars and underline and exclamation points. I just

1 would like to request that you work on the language in this
2 section a little bit so that the concerns that were raised
3 are addressed.

4 UNIDENTIFIED SPEAKER: Supervisor Meacher.

5 UNIDENTIFIED SPEAKER: What document is he
6 looking at?

7 SUPERVISOR MEACHER: Dick, you had mentioned in
8 the priorities about the watershed funding and the
9 recognition that you had of the affirmation of htis group to
10 fund that, and my question is kind of confusing, because I'm
11 confused and I brought this up Sunday at the policy group
12 meeting.

13 Is it still your opinion that line exists
14 between the upper and lower watershed and if so, do you have
15 any thoughts on where the emphasis of the ERP will focus?
16 Would it be one or other, or is that line gone? Or how do
17 you intend on approaching that?

18 UNIDENTIFIED SPEAKER: Loaded question.

19 SUPERVISOR MEACHER: Well, I don't mean it to be.

20 UNIDENTIFIED SPEAKER: There is a line. Most
21 certainly there is a line. In terms of immediate response
22 of those fish and wildlife that are dependent on the Delta
23 and that are a major focus of the conflict, watersheds above
24 dams are -- and the restoration of those watersheds, are
25 less important than steams that are tributary to the Delta

1 that are not dammed. Simply because the fish species that
2 are threatened or endangered can't get into those watersheds
3 and restoration of habitat up there, all be it important
4 from a management standpoint, perhaps important from a water
5 quality or sediment management standpoint, are not going to
6 generate direct and immediate benefits in the Delta.

7 So as far as the ERP is concerned, early
8 strategies for implementation are going to focus on undammed
9 watersheds, and to some extent, taking a look at removing,
10 removal of barriers to migration into the upper watersheds.

11 Now the watershed program itself, is much more
12 broad, much more all encompassing. And that does not mean
13 that we are not going to fund programs in the upper
14 watersheds above dams. But in terms of high priority issues
15 and implementation of the ERP, those are the kinds of things
16 that we would be focusing on in the later state, in later
17 years of stage one and stage two of the implementation.

18 SUPERVISOR MEACHER: So if I could follow up --
19 without putting words in your mouth, in the year 2000
20 priorities when -- when we say or when it is said by CALFED
21 that interrogation with the watershed program, and funding
22 of watershed activities, as far as the ERP, will mainly take
23 place, in the, what has been delineated in your opinion, the
24 lower watershed?

25 UNIDENTIFIED SPEAKER: Well, again --

1 SUPERVISOR MEACHER: Or that line --

2 UNIDENTIFIED SPEAKER: The line doesn't count.
3 The target streams that we are looking at for demonstration.
4 Deer Creek is one of them. Which is undammed. So we'll be
5 going all the way to Deer Creek Meadow. And Clear Creek
6 there are some exciting opportunities that are starting to
7 gel that might allow us to remove a dam on Clear Creek and
8 open access to salmon and steelhead above that dam.

9 On the Tuolumne River which is another one of
10 our demonstration streams, there is no way we are going to
11 remove the dam on that stream. But we have found and
12 suspect that catastrophic fires in that watershed have
13 contributed to down stream flooding and the loss of habitat
14 below the dam. That was particularly in true in 1997. City
15 of Modesto got all wet. So it's not a cut and dried sort of
16 thing. There isn't a line along the foothills above which
17 we are not going to work.

18 But what I'm telling you is that in terms of the
19 ERP, and the money that is specifically allocated to
20 implementation of that, we have to focus on restoration of
21 habitats and ecological processes that support the
22 recovering of those species that are endangered in that
23 system.

24 SUPERVISOR MEACHER: Okay. I just wanted to
25 bring up to -- Lester.

1 LESTER SNOW: I think you know that Dick's
2 response to kind of as you asked -- it's focused on the ERP
3 but let me broaden it to really talk about FY 2000
4 priorities and when we look at the multiple revenue sources
5 -- that line then doesn't exist. And so as we go into FY
6 2000, upper watershed is on the table just as clearly as
7 lower watershed activities and even to the point that the
8 policy group has already instructed that watershed
9 activities will be a priority for FY 2000. And we do it
10 because of the structure of the pending federal budget for
11 2000. Have the luxury of multiple pots of money to fund
12 those kinds of activities.

13 SUPERVISOR MEACHER: I wanted to bring it up
14 because there could be confusion amongst my community and
15 the folks I'm working with -- when Dick talks about
16 watershed and his interest and others talk about watershed -
17 - that -- there is sort of a difference there in the focus
18 and not to be disjointed -- if Dick's not throwing a lot of
19 money into the upper watershed, because that's not the focus
20 of it. So, I heard that from the policy group meeting when
21 I was there last time and I just didn't want -- maybe to
22 think -- well, maybe it's all going to undammed tributaries.
23 It -- I think the secretary was very clear that she was
24 looking at all aspects of all watersheds. So --

25 UNIDENTIFIED SPEAKER: In fact, the watershed

1 program encompasses -- some of your presenters earlier today
2 -- were representing waters - that are not tributaries of
3 the Delta at all.

4 SUPERVISOR MEACHER: Thank you.

5 UNIDENTIFIED SPEAKER: Bob, are you at this
6 point satisfied with this response or do you have a proposal
7 for what you want to have done differently?

8 UNIDENTIFIED SPEAKER: Not at this time.

9 UNIDENTIFIED SPEAKER: Okay. And I --

10 UNIDENTIFIED SPEAKER: Just as long as we all
11 understand --

12 UNIDENTIFIED SPEAKER: Right.

13 UNIDENTIFIED SPEAKER: As there has been some
14 confusion as you know.

15 UNIDENTIFIED SPEAKER: And I am struggling to
16 understand, so that's why I'm asking that, if we need to
17 keep greater -- moving towards greater clarity, then I want
18 to invite that.

19 UNIDENTIFIED SPEAKER: Right. And I think, once
20 again when are folks talked about integration, over this
21 next year --

22 UNIDENTIFIED SPEAKER: Right.

23 UNIDENTIFIED SPEAKER: I think we can achieve a
24 lot of that and clear up that -- as long as everyone is
25 willing to work on it.

1 UNIDENTIFIED SPEAKER: I did hear a proposal in
2 the discussion to go along with ERP the Environmental
3 Restoration Program, that we should have something like a
4 water year accounting technical team, that would be a WYAT
5 to go with ERP and that would really make sense. Right?
6 Sorry.

7 But water -- technical team is what you are sort
8 of asking for and that would be interesting.

9 Okay. We do have one public comment and then I
10 think we should take that before the final action and we
11 have to be further legally briefed by counsel on this
12 particular agenda issue. So on public comment we have Paul
13 Robins from the Yolo County Reclamation and Conservation
14 District. Yes, Dick. Dick you want to speak before Mr.
15 Robins?

16 UNIDENTIFIED SPEAKER: I just want to add one
17 point while we have a little bit of a break here.

18 UNIDENTIFIED SPEAKER: Go ahead Mr. Robins.

19 UNIDENTIFIED SPEAKER: Just yesterday the
20 decision was made by Lester and Steve Ritchie, are Deputy
21 Director, that we're going to not only integrate the ECO
22 System water quality component of the water quality plan
23 into the ERP, we're going to be managing that, via the ECO
24 System Restoration Program.

25 So, and I heard comments earlier today about the

1 need to integrate those two. We are doing that in a big way.
2 That's what I'll be doing during part of my vacation this
3 weekend.

4 UNIDENTIFIED SPEAKER: Okay. That's better than
5 shooting a deer.

6 PAUL ROBINS: All right, thanks. I'm Paul
7 Robins. I'm with the Yolo County Resource Conservation
8 District.

9 I just wanted to lend my support for the
10 proposal, or the importance of including agricultural issues
11 in CALFED's -- in the work that CALFED is doing. It's been
12 -- at least engaging from the response that you get from the
13 agricultural community -- lots of ads in various ag
14 newspapers, we are loosing our water, CALFED wants to take
15 it away and idle productive farmland.

16 A lot of fear and non-participation as a result
17 in the agricultural community and as we know a lot of the
18 solutions for the Bay-Delta fall with agriculture and on
19 private land owners -- and we can't just sit and necessarily
20 buy-out the land or idle it all. We need to come up with
21 environmentally supportive practices that become part of
22 agricultural way of doing business and there are practices
23 like that are -- that are proven, that exists, and CALFED
24 has the opportunity to make those demonstrable and
25 communicate them through local partnerships.

1 So I just wanted to keep that out that is very
2 important. So we can bring agricultural inside the
3 processes as opposed as to perseeing itself as a victim of
4 the process.

5 UNIDENTIFIED SPEAKER: And Paul, thank you very
6 much for making the trip from Yolo County and to get the
7 research and conversation districts throughout the State
8 engaged in CALFED being part of that local interface, I
9 think is very important. So if you not only take that
10 message back home but spread it across the state to your
11 colleges and associates that will be quite helpful.

12 PAUL ROBINS: Of course. Thank you.

13 UNIDENTIFIED SPEAKER: All right. We do have
14 Mary to brief us before we take action. Counselor.

15 MARY SPOONOVER: Good afternoon. My name is
16 Mary Spoonover. I'm your legal counsel and I'm here to
17 help. Really, we need to talk about conflicts of interest
18 again before Wendy gets into some specific discussions of
19 projects that pending. It's my opportunity to remind you of
20 things that we've talked about in the past and basically
21 it's a provision of the government code that is most
22 relevant to your discussions today. And that provision is
23 intended to keep officials acting in the public good as
24 opposed into their own financial interest. So it prohibits
25 self dealing.

1 And the basic prohibition is that an official
2 cannot participate in making a contract in which he/she has
3 a personal financial interest. We've gone through before
4 examples of personal financial interests and the fact that
5 within the code section, with in the law itself, there are
6 specific exclusions that are referred to as non-interest.
7 And there are also lists of remote interests. Interest that
8 are so remote that so long as you declare your interest on
9 the record and abstain from participating in the discussions
10 then it's not -- doesn't count as any kind of inconsistency
11 with the law.

12 Now the reason we take up your time before you
13 discuss these proposals at each of the meetings is because
14 the consequences for not following this law precisely are
15 fairly extreme. The contract itself, the underlying
16 contract if made with a conflict of interest is void. The
17 public entity can keep any of the benefits that it has
18 gained from this contract without any obligation to pay for
19 it. And if the statute is intentionally violated then there
20 are potential criminal penalties.

21 So, you know, I do go on and on, but there
22 really are fairly severe consequences. So I want to make
23 sure that you all have had an opportunity. What is now the
24 opportunity is for any of you who have potential conflicts
25 of interest that fall within the remove interest definition

1 to declare those interests on the record and abstain from
2 participating in the next set of discussions.

3 We have reviewed the pending proposals and have
4 not found any obvious conflicts. None of you have
5 approached me with specific questions. But this is your
6 opportunity to do so.

7 Anyone want to declare?

8 UNIDENTIFIED SPEAKER: Any declarations?

9 MARY SPOONOVER: Good.

10 UNIDENTIFIED SPEAKER: We really feel scared.

11 MARY SPOONOVER: Enlighten. I'm trying to
12 enlighten, not terrify.

13 UNIDENTIFIED SPEAKER: Severe warning. I'm
14 reading this list. Thanks, Mary. Yes, Ann.

15 ANN NOTTHOFF: Now the answer to this question.
16 NRDC is involved in some San Joaquin River restoration --
17 are those part -- are any of those projects in here?

18 MARY SPOONOVER: Do you know Wendy -- that would
19 be helpful.

20 ANN NOTTHOFF: I don't have -- so -- you
21 reviewed them and you know I work for NRDC

22 UNIDENTIFIED SPEAKER: And if they were would
23 that be considered self dealing?

24 ANN NOTTHOFF: -- so -- just so -- you're --

25 UNIDENTIFIED SPEAKER: That's fine. That's why I

1 asked the question.

2 ANN NOTTHOFF: Okay.

3 UNIDENTIFIED SPEAKER: I think there is a
4 principal underline whether or not any specific projects are
5 -- today that are before BDAC involve NRDC, the question is
6 in that kind of a situation if an individual is an employee
7 of nonprofit organization who may be involved in some
8 capacity, is there constituted under the law, a conflict of
9 interest?

10 MARY SPOONOVER: Generally, it is described as
11 a remote interest. It depends particularly on the facts,
12 situation --

13 UNIDENTIFIED SPEAKER: Right.

14 MARY SPOONOVER: It varies.

15 UNIDENTIFIED SPEAKER: Because --

16 ANN NOTTHOFF: But I have a remove -- so then --

17 UNIDENTIFIED SPEAKER: You would have a remove
18 and you would have to abstain. It's not a personal
19 financial interest. You do not gain personally from your
20 employer being involved.

21 Okay. Thanks. Wendy.

22 WENDY --: As part of the 1999 funding
23 recommendation this body along with others approved,
24 recommended approval of thirty-three projects to be funded
25 the Eco System Restoration Program. At the time that

1 package moved forward at both the Eco System round table and
2 policy group levels there was an acknowledgment that there
3 were few watershed projects identified as part of that
4 package.

5 Subsequent to the approval of the thirty-three
6 projects, the CALFED policy group made a statement, a
7 determination regarding watershed projects and the need to
8 fund additional watershed projects as part of the 1999
9 funding package.

10 And they directed, this is basically a summary
11 of what the policy group said. That they would like to see
12 an additional -- of watershed projects identified, up to
13 about two million dollars and those would be funded out of
14 the 1999 funding that was received.

15 The projects would be considered using both Eco
16 System Restoration and watershed program criteria. They
17 directed The CALFED staff to prepare the list and that the
18 Eco System round table should take that list under
19 consideration before bringing it to policy group.

20 And they also identified that watersheds should
21 be included as a priority for FY 2000. So that's what
22 policy group said and John Lowery and I are going to tag
23 team on this presentation since he was instrumentally
24 involved. I'm going to put up again the list the projects
25 and John's going to talk with you about the criteria and the

1 methodology that was used in developing this list. And once
2 he is completed, I'm going to come back and talk with you
3 about the round tables action on this list of projects.

4 JOHN LOWERY: Okay. I think the list is self
5 evident in terms what had been recommended at this point. I
6 want to spend a little bit of time focusing on the
7 additional criteria that was used to develop these
8 recommendations.

9 Most of the specific criteria was related to the
10 watershed program and the direction we received from policy
11 group to consider a set of watershed projects based on that
12 criteria.

13 Evaluation and subsequently the recommendations
14 that are before you today were made with in-house. They were
15 made by CALFED staff. They were made by the staff that's
16 assigned to the watershed program. That includes myself,
17 Dennis Balker (phonetic) and Mary Lee Conneck (phonetic).

18 I want to point up here, the primary
19 considerations that staff used in developing this of
20 recommended projects. All of these criteria are associated
21 with important aspects of the watershed program plan.

22 First of all improved coordination and
23 assistance. And that's primarily related to key local
24 agencies. Land owners and other essential stake holders
25 that are associated with the various projects that are

1 before you for consideration.

2 We wanted to pay close attention to whether or
3 not the projects developed useful monitoring protocols to
4 detect what is occurring as a result of project
5 implementation. But also to borrow those monitoring
6 protocols if they are appropriate for use elsewhere on other
7 projects and activities.

8 The developing of monitoring protocols is an
9 extremely important component of the watershed program as a
10 whole.

11 We were looking for projects that expanded
12 opportunities to further educate people within and outside
13 the watershed project or within or without the watershed
14 area on important resource issues. As well as projects that
15 made an effort, a very significant effort to outreach to the
16 broad array of stake holders that we feel need to be
17 involved to make these kinds of projects work.

18 And lastly, and this is a broad category. We
19 were looking for projects that actually resulted, or would
20 likely result in significant changes within the landscape.
21 Maybe they were in small areas. Depending the scope and the
22 size of the watershed.

23 We were also looking, when we talk about
24 stewardship for behavioral changes within the population of
25 that watershed and those that are involved in the particular

1 effort that we're recommending for funding.

2 Again, going back to the broader set of criteria
3 that was handed to us by the policy group, we were very
4 limited in terms of the amount funding that was being
5 considered. So I think our recommendations tend to reflect
6 a number of smaller projects that we could fit in under that
7 two million dollar cap that was provided to us. And when it
8 was all said and done the projects that we recommended all
9 met to some degree Eco System objectives. They all came
10 from the last series of proposals that were made through the
11 Eco System Restoration Program. They were all ranked within
12 the upper range of their particular category.

13 So we dwelled primarily on their benefits and
14 their contributions towards these watershed objectives or
15 watershed criteria in our final evaluation and
16 recommendations.

17 WENDY ---: Okay. And then this last week,
18 Tuesday, you can leave that on. The Eco System round table
19 considered this sweet of projects and they actually opted to
20 not take action on them at this time.

21 Instead what they recommended was that this
22 group of projects be submitted to the science panel that we
23 are convening to look at the FY 2000 priorities and projects
24 under that would satisfy those priorities and that an
25 additional task be articulated to that group that they

1 should look at this sweet of projects for the purpose of
2 confirming or recommending alternatives that would satisfy
3 this requirement that the policy group has laid down for
4 funding projects under the FY 99 solicitation.

5 So again, I think I would invite the Eco Sytem
6 round table cochairs, perhaps Greg or Gary would like to add
7 to the view of the round table relative to this item. And
8 I see them both making their way to the front.

9 UNIDENTIFIED SPEAKER: And while you are coming
10 forward it would be -- I'm going to be interested in hearing
11 your comments on this, but I would be intending to call for
12 a recommendation subject to scientific review, could it, can
13 it be established? When it is established but not to delay
14 action on watershed projects. So I just wanted to for warn
15 you -- what is appropriate action here.

16 GARY BOBKER: I will try to address that. And
17 my comments are going to be very brief. Gary Bobker
18 (phonetic) -- Eco System round table.

19 The round table members, I can't speak for every
20 single one, but I think there was a general conscientious
21 that we had concerns about the way decisions were being made
22 about watershed management and projects and I should say at
23 the outset that I think there is universal support for doing
24 these watershed programs. And a lot of respect for the work,
25 both of people like John Lowery, who is very highly regarded

1 by people who work in the watershed program or work in the
2 watershed world. And for the people who work in the
3 watershed BDAC's watershed work crew.

4 So that's not really the issue. The issue is
5 how do you make decisions with public money that's been
6 entrusted to us to make recommendations to federal and state
7 governments and how to spend it.

8 We have processes to do that. And the way that
9 decisions were made this year by the policy group about the
10 watershed projects troubled people. They felt it was a
11 little bit of a unilateral action that didn't really respect
12 the process and since we put so much work into building the
13 credibility of the process and integrity of the process, we
14 ought to follow it.

15 And that's why I think the round table raised
16 the issue that the projects were essentially did not make it
17 through the previous round with the process we have. The
18 process we have may be flawed. It may not be adequately or
19 accurately reflect the importance or the value of individual
20 watershed projects, but it's the process we have.

21 The CALFED policy group, it's not our decision
22 to make. We made our recommendations. The policy group
23 decided that they want to go ahead and fund. If they are
24 going to do that then at a minimum they ought to be doing a
25 few things.

1 The ought to be establishing very clearly
2 articulated criteria and perhaps a little more articulated
3 then what we saw as to what are the highest priorities for
4 funding watershed programs.

5 And it ought to subject those projects, proposed
6 projects to the same kind of review that all of the other
7 projects that were funding are subject to. And as a result
8 of that the round table, I think without any really serious
9 decent, is making a strong recommendation that we respect
10 that process, allow it to go through further review.

11 I think it would be a mistake to be expedient
12 and rush through things rather than wait another month and
13 allow a science panel to do that kind of work.

14 I also want to make the further point that what
15 this really calls for, is that we have in the Eco System
16 Restoration, those of us who have been very involved and
17 care about the Eco System Restoration Program, have been
18 working with CALFED for years now to establish very
19 extensive objectives, priorities and a scientific process
20 that identifies and validates those priorities and reviews
21 actions to meet those priorities.

22 The watershed group still has work to do on
23 that. They've done Yoman work, stellar work on what they've
24 come so far, but they still need to go a little bit further.
25 And this really identifies a very strong -- before the next

1 funding cycle for the watershed program to identify very
2 articulate priorities and to have a process in place,
3 perhaps using the Eco System round table, perhaps not.

4 To review those processes using the appropriate
5 technical expertise. If you don't do that then you are not
6 being fully responsible with the monies that congress or the
7 State of California is entrusting to you.

8 UNIDENTIFIED SPEAKER: Mr. Chairman, let me ask
9 you a question. You use the term unilateral action by whom?

10 GARY BOBKER: By the policy, CALFED policy
11 group. Unilateral in the sense that it was a decision that
12 was made against the recommendations of the round table. So
13 --

14 UNIDENTIFIED SPEAKER: Okay. Okay. I just
15 wanted that clarification then I can talk about it later.
16 Do you want -- do you want to comment -- Greg also wants to
17 --

18 GREG --: Well, I'm a little uncomfortable with
19 the characterizations.

20 UNIDENTIFIED SPEAKER: Me, too.

21 GREG GARTRELL: That Gary is making. It is --
22 I'm not sure that it's germane to getting this decision
23 getting done here.

24 UNIDENTIFIED SPEAKER: Right.

25 GREG GARTRELL: But I'm not sure that I can

1 allow that characterization to stand as the only comment on
2 the record. So we need to get back to it subsequently.

3 UNIDENTIFIED SPEAKER: Well, I wanted to address
4 it, too. And I want a clarification before I did. So I
5 wasn't making a unilateral response or at least an ignorant
6 one.

7 GARY: Will you still be at CALFED when we get
8 back to it though, Lester? Okay.

9 UNIDENTIFIED SPEAKER: Right. Okay. We'll --
10 thank you, Gary. And Greg. Mr. Chairman.

11 CHAIRMAN GARTRELL: Thank you, Greg Gartrell
12 (phonetic) Eco System round table.

13 I think that I would like to agree with what
14 Gary just said. I think one of the problems is that we had
15 two hundred fifty million dollars worth of proposals and
16 about twenty million dollars to spend. And out of that,
17 you're just not going to get a broad spectrum of projects
18 covering a wide range. And the integration panel was
19 necessarily required to focus down. So as a result of that
20 watershed projects did not come out.

21 I don't think they -- anybody and I certainly
22 didn't have any problem with the projects that are being
23 selected. Again, it was a process that was followed. This
24 is going outside the process and frankly the comments in the
25 round table were a good deal less diplomatic than what you

1 just heard from Gary.

2 I think what we have requested is pretty much in
3 line what we requested on the FY 2000 funding. That it go
4 through another cycle of peer review and to come back with
5 either these projects or alternatives.

6 But one of the things that we did not have and
7 we have not had previously, is a requirement that a certain
8 amount of funding go to this group, a certain amount to that
9 group. It's been strictly on what are the priorities of the
10 system. And this is the second time that a situation like
11 this has arisen.

12 Where an area that some people thought should
13 get funded with a higher priority did not get funded because
14 there was a limitation on funding. So there is a good deal
15 of discomfort with the way that this process has gone
16 through and a feeling that their either, if the policy group
17 wants to make decisions like this, that perhaps they should
18 just set aside some money where they could have focused
19 projects that go around and make that clear. But to come
20 through the process and skirt around at the same time is not
21 something we're really interested in endorsing entirely.

22 UNIDENTIFIED SPEAKER: Okay. I actually want to
23 comment and then call on Lester and begin by thanking you
24 Greg and Gary and Jason also for cochairing the round table
25 and the members who serve on it and recognizing that this

1 the situation you describe of a dynamic between a process
2 that has been established and then carried out diligently
3 and dutifully and sincerely by participants in that process
4 as a part of an overall program, i.e., CALFED, then comes --
5 you see another dynamic it's set in motion and it's somehow
6 is either not totally consistent or is perceived to be at
7 odds with the piece of the program process that you are
8 involved in and then that begins to cause concern on those
9 participants on the round table.

10 I mean that's -- that's the situation I've seen
11 replicated elsewhere -- that I think comes about because of
12 the give and taken in this process.

13 When I heard the term unilateral, I really
14 wanted to know what was meant by that because I personally
15 think that we've had a hard time getting CALFED to make any
16 decisions.

17 And I have applauded the fact that there is --
18 God forbid there is anything moving unilaterally here. I
19 can't find whose making the decisions and getting agencies
20 to finally -- and I don't think if we're talking about one
21 piece of CALFED, i.e., the policy group, that they have done
22 this in the absence of a lot of input here.

23 The last meeting I was at BDAC there were
24 several voices -- I'll take responsibility for only mine,
25 saying the Eco System Restoration Program alone needed to be

1 reformed. To get ahead of the curve. That the process that
2 we had set in motion, even though we were trying to have a
3 sincere one wasn't getting the job done. i.e., I'm not
4 confident that we're getting the best proposals coming
5 forward to invest in the Eco System Restoration to give the
6 taxpayers the best return on their investment and what we
7 have gone through for eighteen months is a leering process
8 of the importance of watershed.

9 I think this has been a healthy dynamic and I
10 support for one person here on BDAC policy group finally
11 saying something that is planting a flag as to the right
12 direction we should be going. And starting with the two
13 million dollars I think is a commitment. It's a policy
14 commitment. That's why I said to the eight people sitting
15 today and to Mr. Meacher, who is also the cochair with
16 Martha of the watershed work group. It is incumbent now
17 upon those of you who have advocated a policy level and
18 convinced us to take the program of watershed restoration to
19 the highest scientific level possible. And we're -- we have
20 faith that you are going to do that. But I do see that the
21 result that we're faced with today, all be it is not exactly
22 what the Eco System round table has envisioned for this
23 year, is a result of a give and take in CALFED that's
24 unilateral, but recognizing a expanded learning.

25 We didn't get it exactly right the first time.

1 We're trying to get it more right now, is sort of how I
2 would say it and I also want to acknowledge how difficult
3 that is for a chair or cochair who are trying to manage the
4 integrity of the process to not also comment. So thank you
5 for doing that. Thank you for tolerating my response. I
6 think that you require -- that your call for a Scientec
7 review is an appropriate one which is why I wanted to
8 announce to everyone in advance that at least I'm going to
9 suggest that we have a motion to support this subject to
10 that review provided it can be done in a timely fashion.
11 And I think they can do it in a timely fashion. Mr. Bobker.

12 GARY BOBKER: And I was only going to point out
13 that obviously the process is always give and take and the
14 round table did not recommend, as it might have had it
15 surely been -- wanted to focus on it's own peak -- fit of
16 peak as it were -- to not proceed with the two million
17 dollars in funding. What we said simply was, okay, go
18 ahead, we accept that the policy group has identified this
19 as a priority and wants to allocate this money, let's make
20 sure that we're picking the right projects.

21 UNIDENTIFIED SPEAKER: Okay. Thank you. Let me
22 get Lester's response. I preempted him and then Alex and
23 then we will move ahead.

24 LESTER SNOW: Well, I don't think I need to add
25 much. You did a good job and the way Gary just responded,

1 I think is the way to look at this.

2 What I reacted to was simply the thought that
3 unless an advisory bodies advise is implemented exactly as
4 per advise, one hundred percent of the time, then there is
5 unilateral bad faith going on. I just want to make it clear
6 that's not what is happening in this situation.

7 And I think you did a good job on that and I
8 want to underscore something that Greg said. We've moved
9 over two hundred thirty million dollars through this program
10 and only twice, once with some North Bay Wetlands projects
11 for four million dollars and now two million for this. Has
12 the policy group ever stepped in and said for policy reason
13 we think we need to look at projects in these particular
14 areas? And that's a total of six million in five years out
15 of two hundred thirty million. I think that represents the
16 policy having great respect for the advise that they get and
17 following that virtually all the time.

18 But on occassion, because of broader
19 considerations, saying we need to direct some funds to some
20 specific activities. And I think that's what happening.
21 I'm not saying this in any way to object to the
22 recommendation that's coming forward, just the
23 characterization.

24 UNIDENTIFIED SPEAKER: Thank you. Mr.
25 Hildebrand. Last comment then I'm going to ask for motion.

1 Do -- can -- I do see that also Byron and Rosemary. Okay.
2 Alex.

3 ALEX HILDENBRAND: Well, I fully agree with your
4 statement. I would like to add one other thing. That the
5 science panel they are referring to should include
6 representations from all relevant scientific and engineering
7 disciplines. And I will make that same proposal when we get
8 around to talking about the science -- science review board
9 that governs this thing.

10 UNIDENTIFIED SPEAKER: Thank you. Thank you,
11 Alex. Byron.

12 BYRON BUCK: -- two million dollars to address
13 watershed program, however, I think the Eco System round
14 tables recommendation does give us a good chance to make
15 sure we get the best value out of those dollars, so I would
16 make the motion here.

17 UNIDENTIFIED SPEAKER: Okay. Is that -- can I
18 entrain that just to move the process -- you are moving
19 what?

20 BYRON BUCK: The Eco System round tables motion
21 to set up the additional review panel.

22 UNIDENTIFIED SPEAKER: Okay. And nothing related
23 to the items in -- in here? The -- excuse me -- I'll take
24 that motion. Let's see, is there a second? It's been
25 seconded --

1 BYRON BUCK: I would include that --

2 UNIDENTIFIED SPEAKER: All science disciplines.
3 Okay. Then I also heard Eric and an addition from Alex, so
4 we've got a motion. This -- Rosemary and Bob and then try
5 to act on that motion -- what has been -- the business
6 pending before is whether or not BDAC wants to make a
7 recommendation on the projects and that's why I was inviting
8 something else, but I don't need to add it to your motion.
9 Rosemary.

10 ROSEMARY KAMEL: Yeah. My assumption is that
11 this will probably addressed through the scientific review
12 panel, but one of the things that I noticed in regards to
13 what was addressed this morning with the watershed groups
14 was a real need for water quality, for erosion and for all
15 of these other issues and concerns that came up and as I
16 look at these projects, it wasn't very clear to me that they
17 are addressing those issues under the criteria of watershed
18 stewardship.

19 Some of them have said this is going to be done
20 for water quality improvement, this is going to be done for
21 erosion, but it's not very clear. And if that's the problem
22 and if's that what the different watershed groups are
23 identifying as the number one issue, or number two issues,
24 I think that it should be clearer to us.

25 UNIDENTIFIED SPEAKER: Okay. Very good

1 comments. Bob. Wendy wants to comment on this and then --
2 can --

3 UNIDENTIFIED SPEAKER: Please do.

4 WENDY -- : I just wanted to make a comment
5 about scientific review. Scientific and technical review.
6 Alex's statement was quite broad. And if we include
7 representation sufficiently broad to encompass all sciences
8 and technically criteria, even all relevant, we could end up
9 with an extremely broad group of individuals which is not --
10 we have found the best way to get focused discussion.

11 What we propose to do is to have a fairly
12 conscious group of individuals who represent diverse
13 expertise on -- we want to include all the sciences that
14 pertinent to the type of projects we're considering.

15 We want to include academic -- stake holder and
16 agency scientist and we want to keep the group small enough
17 that it can actually get things done. When you get to a
18 large group, which has been the tenancy in the past, because
19 everybody wants to sit at the table, it becomes really hard
20 to get things done.

21 Particularly in the time frame that we are
22 talking about. So, I would just -- I support your interest
23 and I'm desirable to set that happen, but I want you to not
24 have expectations that go beyond what we can actually get
25 done.

1 UNIDENTIFIED SPEAKER: In this particular --

2 ALEX HILDEBRAND: Well, I don't think it has to
3 be an enormous group, but I think it's very important that
4 it includes the engineering end of the spectrum.

5 UNIDENTIFIED SPEAKER: About the whole CALFED
6 program and the scientific panel that you wanted to have all
7 disciplines involved and in particular that would include
8 engineering.

9 I think it's that principal that you are
10 reiterating here and not suggesting that shouldn't be some
11 practicality or pragmatism brought to this process because
12 you are going to try to do the scientific review between now
13 and when the policy group next meets. I think -- is the
14 expectation in order to not have such a time delay.

15 So is there -- relevant science to the projects
16 would include engineering if there was an engineering
17 dimension to the projects?

18 ALEX HILDENBRAND: That's right. There often is
19 because of the hydraulic -- particularly and also the
20 chemistry when it's gets into water quality.

21 UNIDENTIFIED SPEAKER: Right. Okay. We know
22 that --

23 WENDY --: -- easily accommodated -- just wanted
24 ot make sure that everybody was thinking the same thing.

25 UNIDENTIFIED SPEAKER: I appreciate the

1 clarification.

2 UNIDENTIFIED SPEAKER: I'm thinking along those
3 lines because I'm still living in the shadow of that
4 scientific peer review panel we put together a few years ago
5 and we didn't have a cross section of these disciplines and
6 I believe the Scientec team at that time said that the
7 watershed program shouldn't even be funded because we had
8 limited amount of money and it wasn't really going to make
9 much of an impact. Does anybody remember that? That was a
10 statement made -- John you had your hand up. Thank you.

11 But that did come out of that because -- and
12 from that I asked that BDAC that we have a resource
13 economist.

14 UNIDENTIFIED SPEAKER: Right.

15 UNIDENTIFIED SPEAKER: Review that. You might
16 remember that statement -- I don't know when it was. But
17 I'll be satisfied as one of the cochairs, as long as John
18 and Dennis and Mary Lee, those folks that are connected are
19 satisfied with that panel.

20 UNIDENTIFIED SPEAKER: May I ask then -- that's
21 -- in terms of the motion that is pending. Could -- if
22 there is no objection from DBAC I would like to request
23 that, Wendy, in composing the review panel that you consult
24 the work group cochairs to carry out the intent of the
25 motion that as it's now before BDAC, should it be adopted by

1 DBAC, which is how Alex and Wendy have sort of discussed it.

2 But I would like to ask the two work group
3 cochaairs to ---the two cochaairs to the work group to take
4 responsibility on behalf of BDAC to insure they
5 representative science on the review. Do you accept that
6 responsibility?

7 UNIDENTIFIED SPEAKER: Okay. Well, I'm getting
8 the nod from Martha.

9 UNIDENTIFIED SPEAKER: I see Martha and all for
10 the record and yes, Martha nodding and you are saying yes?

11 UNIDENTIFIED SPEAKER: Yes.

12 UNIDENTIFIED SPEAKER: Okay. Thank you. There
13 is a motion pending before us -- any further discussion on
14 that? Ann.

15 ANN NOTTHOFF: I just have clarification on the
16 motion. Is it -- I appreciate the round tables efforts to
17 make sure that their decisions are based on the sound of
18 scientific advise as possible. But I did want to understand
19 what are we talking about in time -- in terms of time here?
20 The time here is just one more step before the next policy
21 and the next policy group is?

22 UNIDENTIFIED SPEAKER: October 5th.

23 ANN NOTTHOFF: October 5th. So before the --
24 you'll be able to convened a scientific panel -- be -- next
25 week basically and get this going? That's --

1 UNIDENTIFIED SPEAKER: That's what their intent
2 is.

3 WENDY -- : The way that this schedule is
4 playing out is that the Eco System round table asked to
5 consider these projects again at their October meeting,
6 which is October 13th. We will not have this exercise
7 complete in time for the next policy group meeting. So
8 these projects would go to policy at their November meeting
9 which is November 10th, I believe. 17th.

10 UNIDENTIFIED SPEAKER: Okay. Robert and then
11 Roger.

12 ROBERT MEACHER: What was the purpose, If I
13 could asked the cochair of -- once it goes through the
14 scientific review of it going back to Eco System?

15 UNIDENTIFIED SPEAKER: They have an acted and
16 that is the policy.

17 ROBERT MEACHER: Assuming they sign off on it.

18 UNIDENTIFIED SPEAKER: That is there process and
19 --

20 UNIDENTIFIED SPEAKER: That's just your process?

21 UNIDENTIFIED SPEAKER: Right. Right. We haven't
22 acted and we -- ask that they either validate those or come
23 back with alternatives.

24 UNIDENTIFIED SPEAKER: Okay. Thanks.

25 UNIDENTIFIED SPEAKER: I mean what if -- yeah,

1 the concern is what if there a slightly different -- here.

2 UNIDENTIFIED SPEAKER: We're only talking about
3 one month --

4 UNIDENTIFIED SPEAKER: So the difference is --
5 really -- a month, right exactly. The difference is a month
6 in order to have gotten that process -- which being a real
7 advocate for us moving forward, I would probably suggest
8 it's worth doing.

9 That month is probably worth taking.

10 UNIDENTIFIED SPEAKER: It will be on more solid
11 ground --

12 UNIDENTIFIED SPEAKER: Right.

13 UNIDENTIFIED SPEAKER: When they do come before
14 us it's one month.

15 UNIDENTIFIED SPEAKER: Now --

16 UNIDENTIFIED SPEAKER: Is that --

17 WENDY --: Could I also clarify at that same
18 meeting we will be considering the FY 2000 so you will see
19 two packages of watershed proposals coming forward.

20 You will see the package that will be funded
21 with the residual 99 funds as well as though projects which
22 are being identified to move forward as part of the FY 2000
23 funding. So there will be two packages of watershed
24 projects.

25 UNIDENTIFIED SPEAKER: And okay. Bob are you

1 and Martha consulting on this? I mean, the issue is whether
2 or not BDAC attempts to even further cause a change in the
3 dynamic within CALFED by recommending that the policy group
4 act in the absence of action by the Eco System round table
5 but after a scientific review.

6 I mean that's -- or we wait the month. I mean
7 that's sort of the issue before us and that's why I
8 suggested respectfully, that if we are going to take this
9 step, I would probably think the month investment in the
10 interest of good science and better relations with the Eco
11 System round table then perhaps I fostered here today, with
12 my reaction, would be worth doing. Martha.

13 MARTHA DAVIS: Martha Davis. I think that this
14 step is very appropriate. And I would hate to have a
15 suggestion out there that somehow these watershed projects
16 were approved and were not of a sufficient caliber that they
17 should have received these funds. So I think by going
18 through the process, making sure that all of the projects
19 are being evaluated in the same way, that we will then have
20 an approval process that recognizes the value of these
21 projects.

22 UNIDENTIFIED SPEAKER: I really appreciate the
23 Eco System round table efforts to make sure things are
24 evaluated on a level playing field and I think when I was
25 talking about catch up earlier, one month in CALFED terms is

1 lighting.

2 And so if people are feeling like that's not
3 very much time, that's lighting speed at CALFED. So --

4 UNIDENTIFIED SPEAKER: All right. Mr. Meacher
5 are in concurrence with the comments of your cochair it
6 would be helpful to know?

7 ROBERT MEACHER: Yeah. I just and I suppose and
8 -- someone can take me aside later and explain to me, how in
9 that original seventy-eight million, all but eighteen of it
10 was put aside as directed programs without any, as far as I
11 know, review from any work groups or anything.

12 And I was -- when I saw these come out, I
13 thought it was similar to that process. But I suppose by
14 giving the opportunity for Eco System to look at it, then
15 you have to honor that process. And that's where we've
16 gotten ourselves --

17 UNIDENTIFIED SPEAKER: All tied up again just
18 trying to honor each other and be inclusive and have
19 everyone -- all the stake holders at the table and not screw
20 up, yes. Okay.

21 ROBERT MEACHER: Right.

22 UNIDENTIFIED SPEAKER: Okay. We've on the table
23 a motion by Byron and seconded by Eric and Alex and this is
24 to support the scientific review, recognizing that the
25 implication of this is that it will go through a process

1 back to the Eco System round table and then to the policy
2 group in November. Should you approve this motion.

3 WENDY -- : Will BDAC want to see the list again
4 at their subsequent meeting?

5 UNIDENTIFIED SPEAKER: I -- we want information
6 only -- and I shouldn't say it that way. We don't -- we --
7 we are going to come back -- Wendy, I'm about to take action
8 -- I'm going to ask for an expression of intent following
9 this motion. Okay. So let me -- let me try to regain some
10 control here.

11 We -- so we would want to know what the results
12 are of the Eco System action and the policy group and we
13 will -- will it be the Eco System round table will have met,
14 scientific review panel and Eco System round table by
15 October 28th when BDAC next meets and that will be before
16 the policy group meeting, so yes, you should report it.
17 Okay. Okay. All those in favor say aye. Opposed? Any
18 abstentions? That's adopted unanimously.

19 The item now pending before BDAC is the
20 recommendation on the -- on those projects that were before
21 us. One more opportunity to declare themselves if they have
22 a direct or remote interest. Having reviewed the list and
23 seeing if there is anyone wishing to state that on the
24 record. See none then we will proceed with the full
25 compliment of everyone who is present.

1 I would entertain a motion to recommend those
2 projects. Mr. Meacher.

3 ROBERT MEACHER: I would make that motion.

4 UNIDENTIFIED SPEAKER: And it's been moved by
5 Bob Meacher, seconded by -- yes -- is there a second to the
6 motion?

7 ROBERTA BORGONOVO: I second it.

8 UNIDENTIFIED SPEAKER: It's been seconded by
9 Roberta. Okay. Yes.

10 UNIDENTIFIED SPEAKER: Just a procedure not --
11 and we've set up this additional review process -- why would
12 we then -- recommending them or are we just recommending
13 them for that review process? I'm not sure what we are
14 really voting on here.

15 UNIDENTIFIED SPEAKER: I intend -- I understand
16 the motion meaning to recommend the programs. Not just for
17 that review process and that at our level of looking at --
18 moving ahead on watershed and what's involved. That subject
19 to the scientific review, this seems to be an appropriate
20 set of actions.

21 UNIDENTIFIED SPEAKER: I can maybe help --

22 UNIDENTIFIED SPEAKER: With that motion?
23 Subject to the review, yeah.

24 UNIDENTIFIED SPEAKER: Yes. Yes.

25 UNIDENTIFIED SPEAKER: Particular piece.

1 UNIDENTIFIED SPEAKER: Because this item was put
2 in our agenda packet before this issue was brought up at Eco
3 Sytem. And I'm very comfortable with us saying okay with it
4 today.

5 We weren't really expecting to have to go
6 through this other process. So I suppose I'm not giving your
7 answer Hap, but --

8 UNIDENTIFIED SPEAKER: I don't understand the
9 point of the other process if we're going to vote them
10 through now.

11 UNIDENTIFIED SPEAKER: It is to inform -- it's

12 UNIDENTIFIED SPEAKER: We like them.

13 UNIDENTIFIED SPEAKER: I will try to explain why
14 I would be comfortable with it, but let's hear everybody,
15 because you certainly have the choice to not to adopt this
16 motion or to have a substitute or to reject it. I mean
17 it's -- I guess that's the same thing as not accepting it.
18 Either you accept it, reject it or another motion. So let's
19 go Eric, then Stuart.

20 ERIC HASSELTINE: (inaudible) so we asking for
21 a review to make sure that's -- I mean -- why would we now
22 vote to say that we think it the right --

23 UNIDENTIFIED SPEAKER: Okay. I'll answer that
24 as we get other comments. Stuart.

25 STUART PYLE: (inaudible) watershed projects --

1 UNIDENTIFIED SPEAKER: Yes. -- No, it's the
2 watershed projects before us at this point. And they are
3 listed under -- under the watershed tab, okay. They are
4 about two million dollars worth -- yes -- the question that
5 has been asked and a legitimate one, so why would we act
6 today, even with a motion that subject to the scientific
7 review to forward it on.

8 The answer is that we've stipulating subject to
9 the scientific review and then I'm comfortable acting
10 because as I look it with all the information before me it
11 seems like a reasonable program and policy direction to
12 take.

13 We having stipulated if the motion were to pass
14 that it subject to scientific review, could have that
15 reported back to us. I personally am not compelled to have
16 to be reinvolved in reviewing these projects once again.

17 I think that there have been sufficient
18 progress. I like the fact that there might be a review and
19 would like to move along. that's why I am prepared to vote
20 for this motion. If you're to troubled to do that and want
21 to have it come back to you, that's your option. Byron and
22 then Stuart. And then Ann.

23 BYRON BUCK: Maybe that's the question. Is that
24 what it is -- saving us -- is it coming back before us again
25 for final approval?

1 UNIDENTIFIED SPEAKER: For action.

2 BYRON BUCK: For action?

3 UNIDENTIFIED SPEAKER: For final action. You
4 can always reserve that. And it's -- we've asked that the
5 results be reported back with the information discussion on
6 the last motion.

7 BYRON BUCK: I was comfortable to just have it
8 reported back what goes not, but with indeed, with this
9 motion were saving that step and people are comfortable with
10 subject to scientific review, I'm willing to support that.

11 Indeed did we need to actually come back to that or could
12 it have just ended at the policy group meeting? Did it?

13 UNIDENTIFIED SPEAKER: Well, it will. If --

14 BYRON BUCK: If we don't vote on it today, does
15 it have to come back here?

16 UNIDENTIFIED SPEAKER: Well, if it doesn't.
17 Here is what will happen. It doesn't have to come back.
18 Accept that then we won't have -- there would not be an
19 advise to the policy group. And then you would have the
20 policy group acting unilaterally, potentially, without input
21 from BDAC. I understand that we're meeting on the 28th. Do
22 you want this on the agenda again, as sort of at the heart
23 of the motion?

24 BYRON BUCK: (Inaudible)

25 UNIDENTIFIED SPEAKER: And it Stuart, it is

1 Rosemary and Hap.

2 STUART PYLE: The -- the motion has not yet been
3 made, right?

4 UNIDENTIFIED SPEAKER: The motion has been made
5 and is on the floor.

6 STUART PYLE: Okay. It's been seconded?

7 UNIDENTIFIED SPEAKER: It's been seconded.

8 STUART PYLE: I'll move the question.

9 UNIDENTIFIED SPEAKER: Okay. And I -- and if
10 there's a second to that motion it is not debatable and you
11 go to acting on -- according to Robert's rules of order, do
12 you just want to cut off debate? So is there a second to
13 cut off debate? Hearing none, you can -- the chair won't
14 informally call for it. Rosemary.

15 ROSEMARY KAMEL: I guess, you know, considering
16 that we want this review panel to look at it -- I'm just
17 wondering -- I mean they look like good projects -- but in
18 terms of reporting back to us, if there is something that
19 the review panel recommends to us or states to us that was
20 inadequate in one of the projects, how will we then say, oh,
21 we approved, and now we are going to disapprove it. Is that
22 -- what -- I mean I'm feeling a little bit like it's to
23 premature. That we should allow it. Not that everything
24 has to come back, but we can make a summary approval at our
25 next meeting with the information that comes on the review

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1 panel.

2 UNIDENTIFIED SPEAKER: If a -- if the projects
3 that were before us, if the motion were adopted, let me --
4 let me just share with you my interruption.

5 If the motion that is on the floor were adopted,
6 which is to recommend to the policy group, those projects
7 subject to scientific review, if that were adopted and the
8 projects go through scientific review, the projects that are
9 called into question, would then come back through this
10 process.

11 Would obviously not be going forward. Our
12 recommendation would not be to support any of the projects
13 called into question under the Scientec review. Yes.

14 UNIDENTIFIED SPEAKER: I was looking for the
15 opportunity to make modifications or come up with
16 alternatives. So if there were modifications or
17 alternatives, those then come back to us? The ones that are
18 not, would not?

19 UNIDENTIFIED SPEAKER: I think so. I think that
20 is how I would interrupt it. Lester, do you want to --

21 UNIDENTIFIED SPEAKER: I mean otherwise we
22 should just have it come back --

23 UNIDENTIFIED SPEAKER: Did I screw this up so
24 badly you don't want to interrupt anything that we're doing
25 and I know Hap is still in line -- I'm not going to forget

1 you.

2 LESTER SNOW: Well, this has taken a life of
3 it's own.

4 UNIDENTIFIED SPEAKER: It has. I'm sorry guys.

5 LESTER SNOW: We are now subjecting these --
6 these nine projects to a level of detail that no other
7 project has ever been subjected to at DBAC or the round
8 table. That's what I'm really, really, concerned about.

9 UNIDENTIFIED SPEAKER: Concerned about --

10 LESTER SNOW: And I also want to indicate this -
11 - we're following this discussion that they may be bad
12 projects. Everyone of these projects went through the same
13 level of technical review as all of the other ones that we
14 funded.

15 All that happened was a policy group adding a
16 single criteria of watershed management, now go pull the
17 best projects out as reviewed by the technical teams and now
18 we're adding layer, and layer and layer on this, so we end
19 up with nine priority projects that get more scrutiny than
20 any have ever gotten.

21 And that's a problem. So I'm kind of with
22 Sunne, we're going to do the technical review, but let's
23 assume that they are all good projects and we'll do the
24 technical review and the policy group can approve
25 accordingly.

1 UNIDENTIFIED SPEAKER: I've got Hap and Alex and
2 Eric, okay. Hap.

3 HAP DUNNING: I'm planing to vote no on this and
4 I just wanted to mention why.

5 First of all, your gloss is not in the motion.
6 The motion doesn't say all the things that you said, Sunne
7 about. Secondly, if I'm understanding the schedule right,
8 all this comes back to policy group in the middle of
9 November, right, on the 17th of November? So bringing it
10 here on the 28th of October doesn't delay things at all.

11 And if there is no problem with them and their
12 all approved by the round table it shouldn't take time, much
13 time for us just to formally vote it then. So, I don't see
14 any need to approve this motion.

15 UNIDENTIFIED SPEAKER: Ann.

16 ANN NOTTHOFF: I do not want to give the wrong
17 impression to all the watershed groups that are here and
18 talked and gave such a great presentation this morning of
19 the important work that their doing.

20 That their projects are getting any tougher
21 scrutiny than any of the rest. In fact, that is not my
22 understand. I think the Eco System round tables
23 recommendation was just to give them the same level of
24 review. Not add on. And my understand -- so I would support
25 a motion that say subject to scientific -- the science

1 review and I -- think I understand the schedule differently
2 from Hap. I believe that the policy committee does in fact
3 meet before BDAC meets next.

4 UNIDENTIFIED SPEAKER: (inaudible)

5 UNIDENTIFIED SPEAKER: It does the -- round
6 table won't. The policy group will meet October 5th.

7 ANN NOTTHOFF: And the round table will also
8 meet, right? So -- they --

9 UNIDENTIFIED SPEAKER: No -- they are not going
10 to take up the next meeting -- round table

11 UNIDENTIFIED SPEAKER: The schedule is that the
12 round table does meet again on October 5th. But the round
13 table doesn't until October 13th, and then the next meeting
14 of the policy group in November.

15 ANN NOTTHOFF: Maybe there could be a commitment
16 to just try and expedite it and maybe they could have
17 special meeting so they could review it and take it up with
18 the policy committee and we wouldn't have to see again.

19 UNIDENTIFIED SPEAKER: Right. Okay. Alex and
20 then -- I've got Alex and then Eric.

21 ANN NOTTHOFF: It just -- should be the same
22 scientific review and no special hurdles and I don't want to
23 be a message that this is a tougher standard of review.
24 Because it's -- I certainly don't think it should be.

25 UNIDENTIFIED SPEAKER: Alex and then Eric and

1 then I will ask for at least a straw indication so we can
2 get a sense of how divided we are and figure out how to then
3 try to resolve that. Alex.

4 ALEX HILDENBRAND: I think that we're caught up
5 here in part by the fact that were in a state of fluxes in
6 some respects. Wendy has assured us that in the future
7 whether it be watershed or anything there is going to be
8 better scrutiny of whether a particular proposal is
9 compatible with other goals.

10 Flood control or whatever. And I'm relying on
11 her that will indeed happen to all of them. Not just the
12 watershed. We also, I think have an understanding now that
13 we've going to have scientific review that covers a spectrum
14 of science and engineering and not just biologist and any
15 other one discipline.

16 And so then the question comes down, if we are
17 going to do that in the future on all of these things,
18 that's not going to mean more scrutiny for the watershed,
19 then anything else. But we're in a state of transition
20 where we didn't do that on previously, but we've going to do
21 it in the future and it's a question of how expedient do we
22 want to make -- expediently, do we want to make the
23 transition. And I'm inclined to go with Sunne, I think that
24 there is enough confidence in people here involved and the
25 quality of these programs that we should be expedient. But

1 I don't have a strong feeling about it.

2 UNIDENTIFIED SPEAKER: Thank you, Alex. Eric.

3 ERIC HASSELTINE: Well, in light of the fact
4 that we -- already -- unless we're going to rescind that --
5 I'd like to offer a substitute motion to Mr. Meacher's
6 motion, which would be that we endorse the list of projects
7 that's been given to us subject to scientific review, unless
8 that as a result of the scientific review there is a change
9 made. In the list of projects, in which case, we would then
10 like the list returned to us on the 28th.

11 If there is no change, then our endorsement
12 stands.

13 UNIDENTIFIED SPEAKER: It's been seconded by
14 Alex. So we have now a substitute motion on the floor. Is
15 there any further discussion, Bob?

16 ROBERT MEACHER: Well, I would just say --

17 UNIDENTIFIED SPEAKER: No, this Bob.

18 ROBERT MEACHER: Oh, a different Bob. All
19 right.

20 UNIDENTIFIED SPEAKER: This Bob. Bob Raab, then
21 Bob Meacher.

22 BOB RAAB: I think as a point of order here.
23 Everything that has been said subsequent to Stuart's asking
24 the question, which I think the chair erroneously said
25 required a second, and I checked with Leonard Council on my

1 left he said, it's correct that Stuart's call for the
2 question does not require a second. Therefore, everything
3 that's been said is irrelevant and out of order.

4 UNIDENTIFIED SPEAKER: I'll rule to the contrary
5 and we'll get a book of Robert's rules here. The chair can
6 recognize an informal call for the question.

7 If you move the question. If there is a second.
8 It is non-debatable and it is in motion to cut debate.
9 Mr. Meacher.

10 ROBERT MEACHER: Well, I was going to say that
11 I could either amended my motion to accept those suggestions
12 or retract my motion and yield to Eric's motion. However,
13 the chair feels comfortable. Both the maker and second of
14 the last of the first motion agree with the maker and second
15 of the second motion.

16 UNIDENTIFIED SPEAKER: So incorporate -- maybe
17 then -- for purposes of what -- consensus emerging out of
18 BDAC and cooperation, that you would incorporate the
19 substitute motion as an amended to yours. A whole
20 substitute amendment to yours and therefore your motion
21 becomes what has been offered by Eric and Alex?

22 ERIC HASSELTINE: That's fine with me.

23 UNIDENTIFIED SPEAKER: Okay. Are you -- is that
24 acceptable to you? Okay.

25 On that -- okay, sir you have finally out

1 maneuvered me. I don't how to rule. But I'm just going to
2 push ahead on this motion. Okay. Any further debate on what
3 has become a wholly incorporated amended into the original
4 motion as stated by Eric as originally proposed to be a
5 substitute motion but has not been incorporated into the
6 original? Any further discussion on that? Is there any
7 objections to that motion?

8 Okay. I rule unanimous acceptance. Thank you
9 for your patients with my awkward ruling -- or -- I don't
10 know. Chairing this in -- okay -- thank you. It was at
11 least a lively debate. At least a lively debate and we don't
12 -- and we -- Mary is going to bring Robert's rules of order,
13 right Byron? Thank -- democracy in action is really very
14 --

15 BYRON BUCK: Let's not do this often.

16 UNIDENTIFIED SPEAKER: Messy. Okay. Thank you
17 very much and thank the -- Wendy -- you're saying good bye
18 or are you trying to waive we off again? Okay. Okay. Good
19 bye. Tib and then -- Tib.

20 We did -- I ask if there was any objections. No
21 objections, I'm ruling it was unanimously supported. Yeah.
22 Any objections?

23 UNIDENTIFIED SPEAKER: I think you might have
24 tricked some people.

25 UNIDENTIFIED SPEAKER: Okay. We will record an

1 abstention from -- let me go back -- just to make sure --

2 UNIDENTIFIED SPEAKER: It is an abstention or
3 negative?

4 UNIDENTIFIED SPEAKER: No, I asked if there were
5 any objections, there was none.

6 UNIDENTIFIED SPEAKER: Okay.

7 UNIDENTIFIED SPEAKER: And I was asked to now
8 call for abstentions -- and Mr. Raab and Mr. Dunning want to
9 be recorded as abstentions. And therefore the rest of you
10 are recorded as supporting the motion. Okay. Well --
11 Thank you to the round table for your presentation today to
12 Greg and to Gary. Gary. Please very quick.

13 GARY BOBKER: Right. Now -- two very quick
14 points of clarification. One is that projects from the '99
15 PSP which were not funded in the original round and which
16 are being considered for the next round aren't just being
17 picked out of the recommendations. They are going through a
18 subsequent review so the subjecting the watershed proposals
19 to the same review is exactly the same as what's being done.
20 I want to make sure that people understand that.

21 Secondly, just as a clarification. You might be
22 interested to note that the watershed work group has never
23 looked at these proposals either. Just for your
24 information.

25 UNIDENTIFIED SPEAKER: Thank you, Gary. Okay.

1 Lester --

2 LESTER SNOW: Just -- maybe I should clarify in
3 the last point, something we need to work through. We
4 cannot use, currently the watershed work group as a funding
5 mechanism or a way of selected projects because we have not
6 subjected them to the conflict of interest criteria that we
7 have used on the round table. And I'm afraid if we try to
8 do that most of the people on the work group will have to
9 get off the work group.

10 UNIDENTIFIED SPEAKER: Okay. We are actually
11 expecting assembly member, Dickerson to join us and Steve
12 Fitch is here. Steve where are you? Is -- are we still
13 expecting Dick? Okay. Good. And when he now -- when he
14 comes we will interrupt our business in order to have him
15 address us and Eugenia (phonetic) has alerted me to the fact
16 that we have had at least a couple of other elected
17 officials, Supervisor Willard as here this morning from
18 Tehema County. We have had and I want to see if we still
19 have Butte County Supervisor, Bob Bealler (phonetic) in the
20 audience. Is Supervisor Bealler (phonetic) here. Thank
21 you. We apologize for the way we have conducted our
22 meeting. I'm sure you do a better job in Butte.

23 And also, from Glenn County, Supervisor, Denny
24 Bungars (phonetic). Is Denny here? Supervisor Bungars?
25 Was probably -- was here earlier. Okay. Quick, what is the

1 county seat of Butte? Without you answering.

2 UNIDENTIFIED SPEAKER: Of Butte?

3 UNIDENTIFIED SPEAKER: Of Butte.

4 UNIDENTIFIED SPEAKER: It's Oroville.

5 UNIDENTIFIED SPEAKER: You weren't suppose to
6 answer -- you were going -- yes, that's right. And the
7 County seat of Glenn, folks, without you answering? Yes,
8 great. Okay.

9 UNIDENTIFIED SPEAKER: I also wanted to
10 recognize Supervisor, Joan Smith from Siskyou County.

11 UNIDENTIFIED SPEAKER: Joan. Hi, thank you,
12 yes. And are there other elected local officials here in
13 the audience? Welcome gentlemen.

14 UNIDENTIFIED SPEAKER: They are actually coming
15 and ongoing because there --

16 UNIDENTIFIED SPEAKER: Because -- because RCRC
17 is meeting.

18 UNIDENTIFIED SPEAKER: Is meeting next door.

19 UNIDENTIFIED SPEAKER: Okay. When the
20 supervisors are in the room will you please help me Bob and
21 let's get them all introduced?

22 ROBERT MEACHER: Sure. Okay.

23 UNIDENTIFIED SPEAKER: We have -- I think Dennis
24 Fox were you going to address on the watershed restoration
25 projects? Or is this a card on public comment generally?

1 Oh, Dennis did it this morning. I thought it was a new
2 card. Yeah. Pardon? At the end. Okay. Good. Then thanks,
3 I know we'll get back to you then Dennis.

4 I think so. I think so. I don't think we have
5 rules against that. I don't know. It's a free -- it's a
6 free society.

7 Okay. We have the governess issue and this has
8 a report from Mike and Hap regarding the policy group
9 meetings and so Hap why don't you bring and then I can also
10 report in the chairman's --

11 HAP DUNNING: Okay. Good, I'll take the interim
12 part of it first.

13 The governess work group of BDAC for a longtime
14 has been concerned about the lack of appropriate connection
15 between BDAC and the work group and consequently we've been
16 delighted that the work group has --

17 UNIDENTIFIED SPEAKER: Policy group?

18 HAP DUNNING: Pardon me?

19 UNIDENTIFIED SPEAKER: Is this policy group, not
20 work group?

21 HAP DUNNING: Policy group, I met to say.

22 UNIDENTIFIED SPEAKER: Yes, I --

23 HAP DUNNING: Policy group has changed it's
24 rules. You've got an attachment A to Lester's report on
25 governess which is in the packet which details the four

1 major areas of change in the -- in the policy group
2 procedures, particular number four there is the one that our
3 work group has been particularly concerned about.

4 At one time we had actually recommended that
5 they allow observers of BDAC to go to their meetings that
6 actually gone further in saying that selected members of
7 BDAC will participate in their meetings as ex-official
8 members. So the question for today is what formula should
9 be used in figuring out who the eight people are to go.

10 We talked about this in our work group meeting
11 on Tuesday and our recommendation is that there be four BDAC
12 members who are permanent in going to policy group in order
13 to maintain continuity. The four to be selected by the chair
14 and we anticipated that the chair and the vice chair would
15 be among those four. And then also the work group recommends
16 there be four others where it is done on a meeting by
17 meeting basis.

18 Where the BDAC chair names four other BDAC
19 members who would go to policy group, taking into
20 consideration the agenda. So that specialize knowledge on
21 BDAC would be available if certain topics were being
22 discussed at the policy group.

23 When I talked to Mike about this he indicated he
24 is interested, I think, in not having sort of a first class
25 and second class membership on BDAC, and I think the jest of

1 that is he would like everybody from BDAC to go to policy
2 group sometime or other. Whether the agenda subject suggest
3 a particular person or not.

4 So anyway that is our recommendation. Four
5 permanent ones selected by the chair for on a meeting by
6 meeting basis, selected by the chair.

7 UNIDENTIFIED SPEAKER: Thank you. Let me just -
8 - also -- briefly share with you what -- what Chairman
9 Madigan has expressed to me and that is that the concept
10 that Hap is recommending that the governess work group is
11 recommending is one that is consistent, I think generally
12 with where Chairman Madigan is. That is the notion of
13 having some continuity of representation from BDAC to the
14 policy group. But a rotation of members of BDAC based on
15 the agenda item, the expertise, the interest and just trying
16 to ensure a cross section of representation of BDAC, on a
17 particular issue.

18 And in order to further that we would try to
19 circulate to BDAC the expected agenda's going forward of the
20 policy group with the dates and asked you to express your
21 preferences and we will try to accommodate as much as
22 possible.

23 In order to do that, to the extent that we can
24 get as many of the BDAC members participating and rotating
25 through and to ensure the broadest cross section of BDAC

1 representation on the pertinent agenda items on any given
2 meeting agenda, Mike as probably leaning towards suggesting
3 of the eight representatives, it be two permanent. He would
4 ask that the chair and the vice -- cochair do the -- be the
5 two and that there be six that rotation through depending on
6 the issues. So it's only that modification that I think
7 Mike was certainly willing to consider in order to have more
8 representation.

9 So the item before us is sort of this concept,
10 the principal in the concept that the work group on
11 governance, interim governance, is advancing of a
12 representation from BDAC to the policy group, permanent --
13 some -- some standing members of that representation which
14 would include at least a chair and the cochair and then
15 rotating BDAC members and then the only question will be,
16 will it be six or four that get rotated with the process set
17 in motion to get your indications of which of the subjects
18 that the meetings that are scheduled do you prefer. Okay.
19 Yes, Byron?

20 BYRON BUCK: With either one those -- but I just
21 wondered given your and Mike's schedule whether for
22 continuity purposes, you will be able to commit to that kind
23 of participation.

24 UNIDENTIFIED SPEAKER: We've been at the last
25 couple. It is tough. I won't suggest that and if we are

1 not able to, I think we would want to have the flexibility
2 to ensure if we're not able to be there that we still have
3 eight BDAC members, so we can call upon a representative to
4 substitute for us. I don't want -- we don't want to have
5 the seats going empty. If that -- I think both Mike and I
6 would want to operate that way. And that would be
7 acceptable to the governance work group, right Hap?

8 HAP DUNNING: I think so.

9 UNIDENTIFIED SPEAKER: Okay.

10 HAP DUNNING: We didn't talk about it, but I
11 think so.

12 UNIDENTIFIED SPEAKER: Okay. Okay. The
13 recommendation that Hap has laid before us, is there further
14 discussion, or can we accept that as a working procedure,
15 that DBAC supports?

16 HAP DUNNING: But which is, four and four, or two
17 and six?

18 UNIDENTIFIED SPEAKER: Can we go with the two
19 and six? And the notion that we would also, if a -- either
20 the chair or vice chair can't be there that we would then
21 attempt to get two other DBAC members so that we have as -
22 at as many policy group meetings as possible, eight members
23 of DBAC and that those members, at least six would be
24 rotated and matched up to the issue as it's agenda before
25 the work -- policy group -- so move that. Okay. Alex. And

1 seconded by Bob. Ann did you have your hand up? No. Okay.
2 Okay. Any further discussion on that? Any
3 objection to that action? Supported -- well -- is there
4 any abstension?
5 ANN NOTTHOFF: I will have -- I do have a
6 question.
7 UNIDENTIFIED SPEAKER: Okay.
8 ANN NOTTHOFF: Well, let's vote on this and then
9 I'll --
10 UNIDENTIFIED SPEAKER: Good. Okay. Any
11 abstentions? Okay. Then that's adopted unanimously. Ann.
12 ANN NOTTHOFF: Is the practical affect of this
13 that there's -- all BDAC meetings are going to be on top of
14 the policy committee meetings now? I thought there had been
15 some kind of discussion about trying to integrate some --
16 and so, you could kind of maybe have further DBAC or -- more
17 -- I mean just scheduling purposes, I think Byron's already
18 brought up a very real world issue that -- you know, just
19 getting peoples schedules so that they can attend these is -
20 - is tough and I think we would all agree if people can
21 focus on some of these decision making forums that's better,
22 you know, only being half time at two meetings as opposed to
23 be -- you know, it's better to be all the time at one
24 meeting instead of half the time at two meetings.
25 So, I just would hope -- you know, I think it is

1 a very positive thing to -- these things but -- I am
2 concerned it's just additive rather -- you know, it's just
3 more as opposed to better. I guess is what --

4 UNIDENTIFIED SPEAKER: Okay. Eugenia is going
5 to help us out here.

6 EUGENIA -- : there are -- between now and the
7 end of the year there are four, collectively there are four
8 policy group and BDAC meetings, between now and December.

9 There are two in October. There is a policy
10 group meeting on November 17th. That's been changed. In
11 your packets it says November 10th, it is now November 17th.
12 And then both groups are scheduled to meeting on December
13 15th. We -- and so there is a very strong possibility that
14 that meeting will be a joint meeting between the two groups.
15 So we're trying to minimize the number of meetings and still
16 get the business done.

17 ANN NOTTHOFF: And that would extend through next
18 June as well?

19 EUGENIA --: We certainly hope so.

20 ANN NOTTHOFF: I think we are getting into the
21 period of time where we really need to focus.

22 EUGENIA --: Right.

23 UNIDENTIFIED SPEAKER: I think if we could
24 acknowledge what Ann is recommending and we all, I think, in
25 spirit subscribe to it and recognize there has been

1 constraints on the part of many of the agencies on trying to
2 meet our schedule and then the issue became how much do we
3 disturb set dates of BDAC, when everybody had it on their
4 calendars. So there's some -- you know, realities here in
5 trying to do that, but the new year has not been scheduled
6 for either and so to the extent that the work getting to
7 June and the record of decision can be sort of scheduled
8 backwards and figure out an ideal interface of the BDAC and
9 the work group. We would really appreciate that. Okay. So
10 we're going to try to do what you say.

11 ANN NOTTHOFF: Okay.

12 UNIDENTIFIED SPEAKER: I think that at this
13 point we've got the long-term governance to report on, Hap.

14 HAP DUNNING: Yeah. There is no action requested
15 on this but I would like to bring people up to date if I
16 may.

17 I think the best news from my point of view is
18 that, now and maybe this happened earlier and I wasn't aware
19 of it. But now it's clear that key member of the policy
20 group are heavily involved in trying to think these
21 governance issues, which is very good news from our point of
22 view, because we've been talking about this for it seems a
23 very long time. And it's very good that the people at the
24 highest level are ceased to this problem.

25 Last week there was a very productive meeting of

1 some of the policy group members and some stake holders.
2 You recall that in June the California Environmental Trust
3 sponsored a workshop which has outside experts that talked
4 about different situations that have some bearing on our
5 governance problem. The trust has continued to be involved
6 on governance questions. They sponsored the meeting last
7 week and they presented a discussion paper. They were not
8 endorsing it as a solution, but just to promote discussion
9 they did a paper which is available here. It was
10 distributed late this morning to all of you.

11 The essence of that discussion paper suggests
12 that there be created a joint state, federal, CALFED, Bay-
13 Delta commission to do the oversight functions. In the paper
14 they suggest actually, not just state and federal members,
15 but also public members. Their -- in this draft would be
16 six state members, six federal and six public.

17 We had a work group meeting Tuesday, as I
18 mentioned before. We discussed the proposal. In evaluating
19 the situation the work group has tended to think about the
20 problem in terms of three types of jobs. Or three levels of
21 functions. Oversight, which would be kind of general.
22 Budget and program balance and things like that.

23 Program management which would be actually at
24 directing each of the eight CALFED programs and then at the
25 third level, implementation, which people refer to as

1 turning the dirt.

2 At the top level, the oversight level, I would
3 say most people at the work group meeting seem to favor,
4 clearly, many of them clearly favor, or lean toward having
5 a new state, federal commission of the type recommended by
6 the California Environmental Trust. It wasn't everybody.
7 A couple of people said maybe. One person said, no.

8 But the majority commenting on the issue do seem
9 to favor this and one of the key points here is apparently,
10 from a legislative point of view, there is great interest in
11 having some kind of central body. Some oversight commission
12 of some sort that would provide greater accountability than
13 is felt to be provided by the present arrangement.

14 We had most of our debate at the work group
15 meeting about that second level, the program management
16 level. Very active debate about that. And I think we'll
17 continue to discuss that. I'm not sure the parties are all
18 that far apart, but there was some -- quite a bit of
19 exchange on that point.

20 With regard to the implementation functions.
21 That third level. I think there is agreement all around
22 that these would be assigned or allocated to various
23 agencies as appropriate.

24 Now an important question, a key question,
25 really, is management of the ERP, management of the Eco

1 System Restoration Program, has been something that the work
2 group has considered for a long, long time and recall we
3 came and suggested a new entity -- that would -- we had
4 suggested a new state, federal entity to maintain the
5 partnership.

6 There is nothing in the California Environmental
7 Trust Proposal that precludes having a new entity at the ERP
8 management level. There might be some problem, we feel
9 though, in having two new state, federal entities. This is
10 rather an unprecedented thing to do and there is some
11 concern that going to congress and asking for not one but
12 two of these new sorts of creatures might be difficult.

13 One possibility which we discussed a bit and
14 we'll discuss some more, is that is we have the state,
15 federal commission at the oversight level, that ensures that
16 there is partnership among the two levels of government
17 which is what we've been after.

18 What we then could do, perhaps, is have a state
19 only conservancy to run the ERP. It would be the lead
20 agency for ERP implementation. It would work very closely
21 with the Department of Fish and Game. With the Fish and
22 Wildlife Service and -- and doing the ecological restoration
23 work. Presumably it would have a seat on the oversight
24 commission so the joint state, federal joint oversight
25 commission would have that new conservancy as a member, as

1 well as lots of other agencies.

2 So that's kind of what we have been talking
3 about. There is one question that I feel is quite important
4 which we really haven't come to grips with yet, and that is,
5 if we did have a ERP conservancy, how would it relate to the
6 environmental water account? Some people seem to feel these
7 two things should be folded together and run together. You
8 have choices, do you spend money on habitat or do spend
9 money on water things, other seems to feel that no, they
10 should be separate. With the EWA you need some way of doing
11 it very fact and maybe that wouldn't work out the
12 conservancies. That remains for us to discuss along with
13 I'm sure some other questions.

14 I'd like to ask Kate Hansel (phonetic) to
15 comment on where we are on governance.

16 UNIDENTIFIED SPEAKER: Okay.

17 KATE HANSEL: I think Hap laid it out well in
18 terms in what we've doing in that California Environmental
19 Trust -- has -- is assisting CALFED and policy group and the
20 stake holders in framing these issues.

21 I guess I just say what some of the next steps
22 are. We're thinking in October and November of trying to
23 keep this dialogue going on where we want to go with the
24 long-term governance structure. So trying to wrap-up
25 sometime in November, really where is BDAC and where is

1 policy group on long-term governance. So that's kind of a
2 short time frame.

3 The legislatures -- we've engaging the
4 legislature, they definitely need to be involved as soon as
5 possible and have attended -- Machado's staff attended our
6 work group meeting and we'll keep that conversation going at
7 all levels. Because certainly we don't decide the new
8 entity, congress and legislature does. So that's kind of
9 the time frame.

10 UNIDENTIFIED SPEAKER: Thank you, Kate and Hap.
11 And to Hap and Easy who have been cochairing this governance
12 work group, and Kate your support and we want to thank you
13 for hanging in there -- and there's really, I think a lot of
14 jelling of ideas or emerging of certainly the principals --
15 organization structures that would follow on -- and I
16 appreciate you sharing this as a report with us today so we
17 get a thinking of -- a sense of your thinking and also your
18 sensitivity to the legislature and to congress and doing
19 that -- a piece of consultation to help get this shaped
20 before we're asked to provide any further advise.

21 I think it's wise, but, I'm very appreciative of
22 having the ideas shared here. Let me get Hap and then Bob.
23 Hap.

24 HAP DUNNING: Well, i was just going to say, we'd
25 be very happy to get any feedback from BDAC members to day

1 or in the near future.

2 UNIDENTIFIED SPEAKER: We're just not asking for
3 action.

4 HAP DUNNING: Right.

5 UNIDENTIFIED SPEAKER: Is -- I wanted to
6 underscore. This is really for information. Yes, certainly
7 to get feedback and comments. Thank you. Bob.

8 BOB RAAB: Just wanted to note that there is not
9 -- there is disagreement with what CET has put forward.

10 Cynthia Kohler, who I believe is -- she has some
11 role to play as one of the two consultants --

12 UNIDENTIFIED SPEAKER: She's been very active on
13 the work group.

14 BOB RAAB: Working with you. Yes. Has written
15 a memorandum dated August 11th, and I don't know if that has
16 been distributed to the governance work shop. I suggest
17 that other DBAC members who are interested in a kind of
18 semi-rebuttal of the work of the CET -- this memorandum
19 should be read by those BDAC members.

20 UNIDENTIFIED SPEAKER: That was written way
21 before the CET memo came out.

22 BOB RAAB: Nevertheless, -- let me refresh that,
23 in fact, I'm not so sure you're right -- I thought --

24 UNIDENTIFIED SPEAKER: It came out --

25 BOB RAAB: Specific reference to the CET --

1 UNIDENTIFIED SPEAKER: It came out right before
2 and we're perfectly happy to get -- to get it to BDAC and
3 wherever you -- it was distributed in the last work group
4 packet and --

5 UNIDENTIFIED SPEAKER: Okay.

6 UNIDENTIFIED SPEAKER: Happy to get it out.

7 UNIDENTIFIED SPEAKER: Thank you. And duly noted
8 that there are some -- there are some other ideas here.

9 BOB RAAB: Well, that's the main point.

10 UNIDENTIFIED SPEAKER: Right. I have Alex and
11 then Mike. Alex.

12 ALEX HILDENBRAND: Two comments. It is proposed
13 that this commission, membership of the commission include
14 the representation, public representative from each of the
15 various resource areas, but, there is another division there
16 that I think deserves attention. There is a tenancy, due to
17 the political pressures and lots of money involved, and so
18 forth to have CALFED address things from standpoint of the
19 environment and exports.

20 And half of agriculture takes export water and
21 half takes non-export water. And so if you do it this way
22 the portion of agriculture that does not use export water is
23 probably going to end up without any representation here.
24 I don't know just what to do about that, other than to call
25 your attention to it.

1 And the other thing just to make -- the same
2 comment that I made about the Science Review Board, that it
3 should have a spectrum of the relevant expertise.

4 UNIDENTIFIED SPEAKER: Good. Michael and then
5 Bob.

6 MIKE SCHAUVER: I want to thank the CET including
7 the Indian tribes under the question, under 2.1 for public
8 members. Again, I want to remind the group, the work group,
9 the Indian tribes with the ability to set water quality
10 standards and reserve water rights that have not been
11 determined. At some time in the future, may be at odds with
12 the group if they are not included.

13 There's is not the case, if they would be
14 included, I only represent one tribe and each tribe acts as
15 they see fit. That the group -- I would suggest that it --
16 in the best interest of working cooperatively that
17 participation by tribes on the commission would minimize the
18 chance for future conflict.

19 UNIDENTIFIED SPEAKER: Chairman Hap Dunning.

20 HAP DUNNING: Now and whether there should be
21 some sort of commission like this or not, and we haven't
22 focused so much on the membership, at our work group
23 meeting, Al -- did make the point about the importance of
24 tribal representation of some sort, so we are -- of that we
25 intend to address that.

1 MIKE SCHAUER: (inaudible)
2 HAP DUNNING: Right.
3 UNIDENTIFIED SPEAKER: Bob.
4 ROBERT MEACHER: I just want to add the addendum
5 to my earlier comment, which is that Cynthia and I both have
6 the same problem with the governance, CALFED part of the --
7 of this discussion and that is that somewhere along the line
8 of assurances, seemed to have not -- seemed to somewhat
9 submerged -- this sums it up. One sentence.
10 We remain concerned that CALFED has not yet
11 addressed program assurances and assurances that the ERP
12 performance standards will be attained in particular.
13 Another part of that is that the CET seems to go
14 into a great deal of process and a lot of concern about
15 working things out inside the loop and very little thought
16 given to actual implementation that has a political heat
17 shield to it that has political, as much as possible,
18 political immunity that protects. Achieving a successful
19 restoration program.
20 UNIDENTIFIED SPEAKER: Roberta.
21 ROBERTA BORGONOVO: I think assurances is still
22 a major issue across many of the program that the Eco System
23 work program certainly, and all of the other programs. So
24 I think assurances needs to continue to be part of that
25 governances work group as we go forward.

1 UNIDENTIFIED SPEAKER: Ann.

2 ANN NOTTHOFF: What -- I guess maybe another way
3 of saying that is -- what -- assuming that you have a new
4 commission what is it suppose to do. I think that's an
5 important question.

6 But what is the next step here in refining these
7 proposals and coming up with some recommendations?

8 UNIDENTIFIED SPEAKER: (inaudible) shortly --
9 stake holder and policy group, sort of small policy group
10 representatives and we'll go on from there.

11 UNIDENTIFIED SPEAKER: And so there --

12 ANN NOTTHOFF: Going out of the governance work
13 group or -- that's just a new --

14 UNIDENTIFIED SPEAKER: No, the governance work
15 group -- it's sort of parallel efforts at this point. There
16 is this effort with the policy group members and then we
17 report back and talk with the -- governance --

18 ANN NOTTHOFF: Okay. So it's getting more
19 focused attention?

20 UNIDENTIFIED SPEAKER: Yeah.

21 ANN NOTTHOFF: I guess is what I was trying to
22 get at.

23 UNIDENTIFIED SPEAKER: So we're trying to cover
24 all of our basis. I would remind people that it was BDAC
25 that directed the work group to focus on governance and

1 change the name from assurances to governance. We're not --
2 you know, ignoring ever bodies interest in assurances
3 overall. But we were directed to work on the governance.
4 We'd had a hard time, I think, to be frank, working on the
5 broader assurances questions.

6 If I can take one more minute, Sunne and make
7 one more comment. In that August 11th memo from Cynthia
8 Kohler, that Bob referred to, she says that the governance
9 debate is kind of proceeding from the wrong question.

10 She says the question should be what
11 institutional structure for the overall program, as well as
12 the individual program elements will best assure that the
13 program performance objectives will be obtained.

14 Then she says CALFED seems to be proceeding from
15 a different inquiry. That is, what changes in the structure
16 of the Bay-Delta Program would make it function more
17 effectively as an implementation agency. With all respect
18 to Cynthia, I thought about this, I just don't see a
19 difference in the two questions. To be effective as an
20 implementation agency, you have to be achieving the program
21 performance objectives. So I think it comes to the same
22 thing myself.

23 UNIDENTIFIED SPEAKER: I want to thank you for,
24 thank you, and Easy, -- trying to diligently pursue the
25 direction of BDAC and the requests of BDAC to carry out our

1 work and to gently remind us that we're not always in
2 consistent. So we tell you to go off and do one thing and
3 we might, very well say, oh, but you should have really read
4 minds and we wanted you to do something else. So that's
5 just -- that's also pretty much human nature and you know,
6 also often times when people don't like the answers coming
7 up, they try to rephrase the question.

8 Now, I think there has been a lot of -- there's
9 a lot of good work and it's very -- out there in terms of
10 potential, and we're intentionally not wanting to make
11 premature recommendations from BDAC, but get comments and
12 let this mature.

13 I think, I want to underscore, really getting
14 input in all the ideas from legislators, is absolutely
15 critical at this point. Legislators, state and federal and
16 the administrations. And it's been said before by Lester,
17 by others, but the best, you know, organizational structure
18 is no substitute for leadership, it's no substitute for good
19 commitments and if that's in part, intended by the word
20 assurance, getting the ability to articulate how performance
21 of CALFED will be monitored and where there is public
22 accountability is going to be the under pending of any
23 governance structure.

24 But, I for one don't want, don't think that we
25 can set up any group that will so perfectly be a heat

1 shield, if you will, to politics, i.e., somehow interrupt
2 the representative government mechanism we have and isolate
3 CALFED from the legislature or congress and therefore I keep
4 wanting to make sure. There is greater engagement and
5 particularly of those ten agencies. That's -- that's just -
6 - you know, I -- I am sympathetic to what Bob you are saying,
7 I just don't know how to do that and I think Mike Madigan
8 tries to keep giving me lessons in that, too.

9 The wisdom of making sure that the agencies that
10 are going to continue to exists, no matter what happens with
11 CALFED, need to be involved in a deep and abiding way with
12 one another in order to keep the program going forward. So,
13 that's just feedback, too.

14 UNIDENTIFIED SPEAKER: Sunne. Assembly Dickerson
15 has arrived.

16 UNIDENTIFIED SPEAKER: We will not impose our
17 debate any longer assemblyman. Except to -- a quick comment
18 from Bob.

19 BOB RAAB: Well, what you say, I agree with
20 Sunne. But that does not preclude a more searching
21 examination of better ways of achieving a reasonably
22 independent authority than what we have done so far in both
23 the assurances and the governances.

24 UNIDENTIFIED SPEAKER: I think that's absolutely
25 true and that's why Hap I think you -- you know -- you very

1 eloquently laid out the remaining issues to be addressed and
2 I think we'll come up with a combination, if I were going to
3 speculate on how this will resolve.

4 I want to thank, again, the work group and the -
5 - BDAC for this discussion on the interim and the current
6 and the long-term governance and now at this point move to
7 welcome Assembly Member Dickerson and to say to you, Mr.
8 Dickerson and to the public we are grateful for you taking
9 the time to be here today. You were there last night. I
10 know you have spent your day serving your constituents and
11 we are grateful to your courageous leadership in
12 facilitation the debate on water policy and water bonds in
13 the last session.

14 And it's not always easy to be doing the right
15 thing but we want your constituents to know that you were
16 ably representing them, as well as the whole State of
17 California.

18 ASSEMBLY MEMBER DICKERSON: Well, thank you very
19 much. That's very nice to hear those kinds words and thank
20 you for obviously slowing down a little bit -- wait for me
21 to get here. I appreciate it very much and as you say I was
22 down in the Southern end of the district doing some other
23 things.

24 And I certainly want to thank you for the
25 opportunity to talk to the BDAC council today and along

1 those very same lines, you thanking me, me thanking you for
2 all the hard work that I know that the members of BDAC have
3 put themselves through over the past number of years trying
4 to reach some sort of census in guiding the process on
5 CALFED.

6 And I for one appreciate it and those who know
7 how much hard work that you have done, appreciate it, too.
8 And I do have some comments that I want to make today.
9 Hopefully, they will be helpful as you continue to strive
10 toward that net final solution.

11 You've been focusing for the past couple of days
12 on watershed and on governance. And I'd like to take this
13 opportunity then to report to you briefly on the status of
14 Assembly Bill 730, which is a measure that involves both of
15 these subject, and which by the way, as you probably know
16 has received a great deal of healthy crafting this
17 legislation from your watershed working group.

18 And I appreciate all the work that they have
19 done on that. The Regional Council of Rural Counties
20 working with the Sierra Nevada Alliance and your watershed
21 working group completed last month a draft amendment that
22 would provide subsistence to the spot bill I introduced last
23 January.

24 And while they have done a great deal, a very
25 hard and good work it became apparent to me when I reviewed

1 the draft that we have tackled a very complex job. There is
2 a lot of innovative concepts within this and there is a lot
3 of policy that needs a thorough airing with the public and
4 stake holders before we can move it forward.

5 This will also bring the effort more in sink
6 with the CALFED process in terms of timing. I've asked both
7 RCRC and the Sierra Nevada Alliance to place the amendments,
8 the suggested amendments, at least, on their web-sites to
9 gather comments and to use this information to either
10 perfect the bill, we have, or to draft a new bill for us to
11 introduce in January.

12 That process of gathering the information
13 through the web-site access will begin today, because I
14 believe it was posted on both web-sites as of yesterday.
15 I'm sure we'll hear a great deal from the -- from the
16 interest groups and the stake holders and the general public
17 on our efforts there.

18 And I hope that this bill may suitably serve as
19 the umbrella legislation called for through the CALFED
20 process. It does however, as you probably know, go beyond
21 CALFED and encompasses programs and policies to cover the
22 entire State of California in terms of watersheds.

23 There are few comments I want to make to BDAC
24 relative to watershed restorations. And I'll start out by
25 saying that I think it would be wise to not let the

1 immediate gratification craze in our society extend to
2 environmental quick fixes. You need to look and I know that
3 many of you share that view. We need to resist bottom up
4 watershed solutions. We need to take a more wholistic
5 approach to restoration and we need to provide for long-term
6 maintenance of the good work you are starting.

7 Let me just explain a little bit about those
8 comments. Yesterday you look at ways to remove barriers and
9 provide more water for Battle Creek spawning and raring.
10 That's a very worthwhile partnership that will bring some
11 quick, positive results. However, this in-stream work will
12 accomplish little if the watershed above is at risk. Battle
13 Creek is receiving nearly fifty million dollars in direct
14 benefit to fish, yet the conservancy is just now getting
15 support for fuels and watershed health planning in the
16 amount of around one hundred forty-five thousand dollars.

17 Today you reviewed the Clear Creek prescription
18 package and I quote from it, "it ranked high by the
19 technical panel in spite of it's location above Whiskey Town
20 Reservoir. This was the third attempt by the local
21 watershed group to get funding in the upper watershed to
22 assure that the millions already approved and being spent in
23 the gravel beds below the dam will not be compromised by
24 unhealthy watersheds above. Over the past four weeks
25 230,000 acres of these unhealthy watersheds, all over the

1 CALFED area, have cried out for attention through the
2 fires."

3 Please look at the photo, Steve you have those
4 photos available -- did he pass them out for you? Okay.

5 These are locations taken above Shasta Dam,
6 photos taken in spite of the fact that they are above Shasta
7 Dam. It clearly illustrates why we must put a higher
8 priority on restoring the upper watersheds, whether behind
9 the dam or not.

10 Please note first the twenty foot high cremated
11 manzanita (phonetic). This is not a nature condition. This
12 vegetation should have been burned or biomass ten years ago.
13 For the last ten years of it's unnatural life it has been
14 pumping water into the air through evaporate transportation
15 -- transpiration at a much higher than normal rate. That
16 robs the fish, the farmers and the communities.

17 Now it's going to fall and become debris that
18 will -- debris which will chose the streams and reservoirs.
19 Water temperature will rise and late season water flows will
20 fall, impacting the fish, agriculture, recreation and
21 domestic use. Then please note, the bare soil, and with
22 every foot of this biologist, it's beginning to travel down
23 stream. Much of the soil has become hydrophobic and will
24 not absorb water in the first few storms.

25 Soon that soil will wash into the most important

1 reservoir in California, shortening it's useful life. I
2 would offer that we're saying whole watershed systems
3 beginning to crumple from the top while we're dealing only
4 with the symptoms at the bottom.

5 Restoration priorities should be staged moving
6 downward and outward, generally, from the top of at risk
7 watersheds and maintenance assured from the core outward of
8 healthy and restored areas.

9 Please take a more wholistic approach to
10 watershed restoration as you set the priorities for the year
11 2000. And concerning governance, I urge you to do all
12 possible to avoid setting up another agency or level of
13 government. You have all experienced the frustration of
14 working with a maze of agencies now involved with water in
15 our state. Let's not make that worse by -- through an
16 already difficult situation.

17 You have developed an interim governance model
18 of shared state, federal leadership that avoids creating
19 bureaucracies. Please continue in this spirit.

20 Finally, this group has the assume
21 responsibility of bridging the information gap between the
22 common folk and the largest consortium of agencies I've
23 every seen assembled in this state. Please listen carefully
24 to the message that will come out concerning the draft plan.
25 Thank you very much and thank you again for waiting for me

1 to hear these comments.

2 UNIDENTIFIED SPEAKER: Thank you, Mr. Dickerson
3 for being here. I think we have a few comments and maybe
4 questions if you're time allows, Dick?

5 ASSEMBLYMAN DICKERSON: Absolutely.

6 UNIDENTIFIED SPEAKER: Okay. Mr. Dunning.

7 HAP DUNNING: -- about your comment at the top
8 of page three urging that we avoid setting up another agency
9 or level of government. What we have now in a way is sort
10 of a shadow agency or a day-facto agency, sort of, we have
11 this policy group, which is the key decision making body,
12 aside from the Secretary and the Governor within CALFED and
13 our impression has been that people in the legislator were
14 unhappy that there wasn't sufficient accountability.

15 That monies are scattered here, there and
16 everywhere in various budgets and you can't really sit down
17 and focus and say this is CALFED, let's look at their
18 budget, their line items, see what their doing, see if we
19 like it, see if we don't like it. And exercise our
20 prerogative to provide the policy direction and budget
21 direction.

22 So we have been thinking that a new agency is
23 something that at the oversight level would be responsive to
24 legislative concerns. And yet, I'm seeing here and hearing
25 that perhaps this is not the case -- and I just wanted to

1 ask some more about that if I could.

2 ASSEMBLYMAN DICKERSON: Well, certainly, I don't
3 speak for the whole legislator. And frankly, I do sit as
4 vice-chair with water parks and wildlife committee, and I
5 sit on natural resources committee and there has been very
6 little discussions of CALFED.

7 I would hope that this group and the member
8 agencies that you advise come to the legislator with some
9 solutions and not depend on the legislator to craft those
10 solutions for you. You, if you weren't experts when you
11 came -- when you began this process, you're certainly
12 becoming experts now, far more than the elected officials
13 are down there.

14 My comments about not creating another layer of
15 bureaucracy come from my large government phobia. I think
16 that if we can find ways to reduce government we are better
17 off than increasing the size of it. So I would hope that
18 there is some mechanism that you will come up with. Perhaps
19 a shared federal, state type of operation of existing
20 agencies, to do the long-term governance of the CALFED
21 process, but, I guess more than anything else -- I've only
22 been down there nine months or so, but, I just can't help
23 believe that you folks couldn't do a better job of crafting
24 some sort of a government solution to it then they -- then
25 the many varied views, sometimes misinformed or under-

1 informed views that you get in the legislator. So, I --
2 would -- would suggest that you work very, very hard on that
3 and come to us with some suggestions and if it's the
4 consensus of this group that you need a level, another level
5 of government, then that should be fully considered.

6 But my suggestion is try doing it without that
7 first.

8 UNIDENTIFIED SPEAKER: Bob Raab and then Roger
9 and then we'll see how many more. Bob.

10 BOB RAAB: My question is about number two.
11 Point number two on the first page.

12 Resist bottom up watershed solutions. I could
13 take that two ways. First way would be to think that this
14 means I don't listen to people, the ordinarily people on the
15 ground in the watersheds when seeking watershed solutions.

16 I think what you mean -- well, if you say the
17 other way I could take this is, that, start from the top of
18 the watersheds and work your way down past the dams and down
19 into the lower rivers and to the Delta. And I'm just
20 wondering which way I should understand this more clearly.

21 ASSEMBLYMAN DICKERSON: The second.

22 UNIDENTIFIED SPEAKER: And (inaudible)

23 ASSEMBLYMAN DICKERSON: We should begin -- we
24 should begin -- not at the bottom of the watershed. I'm not
25 talking there about the bottom of the --

1 UNIDENTIFIED SPEAKER: Community.

2 ASSEMBLYMAN DICKERSON: Public. I'm talking
3 about the geography. I think that all of the work that we
4 are doing now in the lower watersheds with the gravel, the -
5 - trying to improve things for the fisheries at that level
6 is good. But, if, as I pointed out, if above the
7 watersheds, at the top of the watersheds above the dams, we
8 have problems like you see in the photograph, then all that
9 work can be set back because we didn't take care of the top
10 of the watersheds.

11 I think one of the core -- the principal
12 criticism that I've had all along with the CALFED process
13 and others have had too, is that, you begin looking below
14 the dams and everything that you want to do is done below
15 dams. When to me, someone who lives right in here, in
16 Shasta County, or up in Shasta County, that is familiar with
17 all the problems that exists above that dam where the water
18 really originates from is being ignored. And if we don't
19 take that approach that if want -- if we want to clean the
20 Bay-Delta, which is what you are charged basically doing,
21 that we have to look at this water deliver system from where
22 that snow and where that rainfall hits the ground
23 principally and that's above the dams.

24 And if we can't get in there and do the kind of
25 things that we know -- what can be done to improve the flows

1 and the quality of water in those watersheds, then we've not
2 -- I don't believe doing our job completely. That's one of
3 the AB 730 is hoping to address. I hope that if AB 730 is
4 successful and we're able to get a regular flow of revenue
5 to support watershed maintenance, that a great deal of that
6 is concentrated above the dams so that the kind of things
7 that you see in that photograph could be avoided.

8 BOB RAAB: Well, I submit that's a receipt for
9 disaster.

10 ASSEMBLYMAN DICKERSON: I'm looking for whose's
11 talking, I can't see.

12 UNIDENTIFIED SPEAKER: It is Mr. Raab, here who
13 is responding.

14 ASSEMBLYMAN DICKERSON: Okay. Thank you.

15 BOB RAAB: I think that's that a receipt for
16 disaster to make your top priorities starting from the top
17 of the watersheds. Number one, why not be concurrent with
18 the whole watershed, the entire watershed at the same time.

19 Number two, the reason, the whole reason that
20 CALFED was brought into being -- was because the major
21 problems, one of the most important reasons was the major
22 problems with -- fishery. And that problem is a huge one
23 and it's down below the dams where the problems are going to
24 be solved.

25 UNIDENTIFIED SPEAKER: There -- well, there's

1 actually -- maybe a sincere and honest debate about the --
2 relationship of the Eco System above the dams and the below
3 and the impacts and so that's what we are trying to
4 discover. Is what's going to work scientifically. I think.

5
6 ASSEMBLYMAN DICKERSON: Well, my point is you
7 just can't separate the problem at the dam. And if you --
8 I think that all the work that you do below the dams can be
9 wiped out or at least harmed a great deal and set back if we
10 don't do work above the dams.

11 UNIDENTIFIED SPEAKER: And we've -- we've been
12 learning that for the last year and a half.

13 ASSEMBLYMAN DICKERSON: Good.

14 UNIDENTIFIED SPEAKER: Thank you. Roger -- was
15 that your question? Okay. Any other comments or questions
16 to Mr. Dickerson?

17 UNIDENTIFIED SPEAKER: I'll just respond to Bob.
18 You're fish -- with the lesions on them and Dick's comment
19 about the mercury. Most of that's coming from the old mines
20 above the dams and it's flowing all the way into the system
21 into the bay. And that mercury is a big problem. So that's
22 one of the issues at the top.

23 UNIDENTIFIED SPEAKER: What we --

24 UNIDENTIFIED SPEAKER: (Inaudible)

25 UNIDENTIFIED SPEAKER: Sure.

1 UNIDENTIFIED SPEAKER: I didn't know that that's
2 a scientific fact. Just the mercury is the problem for th
3 lesions. But the other point is, that's only one thing out
4 any number of things. Including our water flows that are
5 involved in this whole complex issue. And I'm just saying,
6 how can you pick out one thing, like start from the top of
7 the watersheds and work your way down, and think that is
8 going to be an acceptable solution. The majority of the
9 people in Northern California are not at the top of the
10 watersheds and they are going to be very unhappy if anything
11 like this is the top priority on the bill.

12 UNIDENTIFIED SPEAKER: Okay. I think -- I don't
13 know that you're all that far apart. At least I think that
14 there's been a growing understanding in BDAC and CALFED as
15 to the very significant relationship of watershed to the
16 entire Eco system above dams and below dams and that we're
17 trying best to discover truth. Truth in science. And these
18 kinds of photographs represent what we have learned and are
19 trying to address simultaneously. Things above, things
20 below, however, however God created it we're really trying
21 in our inadequacies to figure out how it works. And to
22 respond.

23 ASSEMBLYMAN DICKERSON: That's the reason for my
24 comment and my final request that you take the wholistic
25 approach and to me that means above, below and in. You did

1 -- you just can't say that what happens above the dams is
2 not the concern of CALFED. I believe it is.

3 UNIDENTIFIED SPEAKER: I want Mr. Dickerson for
4 being here because while we're going to diligently take your
5 advise and try to work out solutions and come to you with
6 advise, there is also, I think, a very significant
7 recognition on the part of BDAC and CALFED that the program
8 can greatly be enhanced by the active engagement of our
9 elected officials.

10 And that we don't also want to presume to
11 substitute our judgement for ultimately what you have been
12 elected to you and so it's really got to be inter-- and
13 interactive -- back and forth and interactive and so when
14 you take the time to be here that's helpful and we want to
15 get a lot more consultation from legislators as we move
16 towards the record of decision of goal of next year.

17 ASSEMBLYMAN DICKERSON: Go -- and I would hope
18 the education is going to be the key to this. Both public
19 education and the elected decision makers. Their education
20 also. So I would hope that if you haven't made some plans
21 to have some group discussions with legislators, that you do
22 so. It's not very high on their radar screen right now.
23 It's needs to be and I think the emphasis to get that done
24 can from these group. To get as many legislators in a room
25 together as you can and begin to talk about this.

1 All they generally hear is what comes out
2 through your documents, your reports and they may pursue,
3 glance over the executive summary type things, but in terms
4 of really educating them, I think it is time to begin that
5 process and I would certainly welcome that.

6 UNIDENTIFIED SPEAKER: If I might make just a
7 suggestion for you and Chairman Machado to take under advise
8 and also the senate committee, if we could look at, just in
9 the next, in the six months between January and June, and
10 recognize that there is a presidential election in the
11 middle and that's tough, but two joint study sessions with
12 CALFED, the policy group and DBAC, could be probably very
13 helpful and I've work through a number of legislative issues
14 where getting both committees, in both houses to do joint
15 hearings and to -- you know, even if we have to do it later
16 in the day, in the afternoon, on a weekend, whatever, to
17 really call those joint sessions could be helpful and maybe,
18 we've come down to the wire -- so I would just -- I would
19 maybe make that suggestion.

20 ASSEMBLYMAN DICKERSON: I will get in touch with
21 the chairman and advise him of your request and I'm sure he
22 will be willing to set some of those up.

23 UNIDENTIFIED SPEAKER: Great. And then on --
24 just a last comment. You -- you know asked that we try to
25 minimize setting up new government agencies and some of us

1 are real sympathetic to that idea. However, this governance
2 structure emerges, I do think that there is one working
3 principal that we're trying to achieve and that is that the
4 existing agencies somehow continue to be involved and work
5 better together.

6 So however that is put together, be it in a new
7 commission, in a joint exercise, a powers agreement and an
8 MOU, there is a variety of ways that that could happen. We
9 don't want to end up with a situation where there's yet ten
10 agencies that continue to exist and their not compelled to
11 work together to implement the program. So I think that is,
12 at least beginning to get a lot of broad support and
13 currencies around governance and that's what I really heard
14 you sort of appealing to us to keep in mind.

15 ASSEMBLYMAN DICKERMAN: Right. I understand.

16 UNIDENTIFIED SPEAKER: Thank you. Thank you,
17 again, Dick, and I appreciate all the work that Assemblyman
18 Dickerson does. Thank you.

19 ASSEMBLYMAN DICKERSON: Your welcome. Thank you.

20 UNIDENTIFIED SPEAKER: Okay. And actually, I
21 would have stalled to be able to accommodate your schedule
22 but it turned out that I was doing such a bad job of
23 chairing this meeting, we just ended up taking up all the
24 time anyway. So, you didn't impose on us at all.

25 We do have public comment. Dennis, you --

1 Dennis Fox. And as Dennis is coming forward. I want to
2 acknowledge that Tim Brick from the Metropolitan District
3 has been here and along time servant in public -- in the
4 public arena for water policy and participate in the
5 North/South talks and it's great to have you here, Tim.

6 DENNIS FOX: Yes, Ms. McPeak and members of the
7 council. I wish to bring up something that's not entirely
8 new but it bears on it and I would like to -- put off for
9 this time.

10 It has to do with energy generation. I noticed
11 that down at the other end of the great valley, we had --
12 they are doing a lot of citing of energy plants and they are
13 going to be using water from one of the water district, and
14 apparently is more concerned with immediate revenue rather
15 than long-term supply.

16 Why, I think it be better cited that Los Angeles
17 Power, that it should be cited there because as the
18 documents relate -- Los Angeles reclaimed water doesn't,
19 valley water is reclaimed for ag. Los Angeles water is
20 reclaimed just to be dumped into the sea. And it could be
21 used for power generation. That is occurring in the plants
22 on the Sacramento -- at Pittsburgh, Antioch, etc., However,
23 there may be a downside to those plants. That is heat. And
24 the intakes and maybe screening at the intakes. The intakes
25 may become screened with mitten crabs and zebra muscles, but

1 we must know how much of the heat -- that is the cause of
2 the heat.

3 But so therefore, I was thinking perhaps if it
4 was looked at that may be new sidings could be placed on an
5 adequate or it wouldn't hurt -- the heat -- wouldn't -- in
6 fact -- or even up at the thermolytic (phonetic) or on the
7 right across the river and because -- that would necessitate
8 less water need for this area, too.

9 If it is heated for the rice generation. As you
10 know I have been stressing more water increase overall, as
11 perhaps the best solutions to CALFED's problems as you do,
12 too. And I would stress that perhaps these things are extra
13 -- and perhaps it might be best if you had a method, I have
14 idea how you do it, to check out these things which are
15 either negative extranalties or could be negative
16 opportunities. You know external opportunities for you.
17 And I do not wish to see CALFED start to bulk --, but I
18 would wish them to become more efficient, more coordinated,
19 but have --, someway of -- to external issues. We'd like to
20 see CALFED remain CALFED, not becomes Caltrans. Thank you.

21 UNIDENTIFIED SPEAKER: Thank you, Mr. Fox. I
22 have no other cards for public comment. Is there anyone
23 else who has requested to speak before BDAC.

24 Then I think that also concludes the business of
25 the Bay-Delta Advisory Counsel group, September 17th. The

1 next meeting is scheduled October 28th. Okay. Somewhere --
2 October 28th. Thank you, all very much and have a safe trip
3 home.
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6 I, SUSAN PORTALE, Certified Shorthand
7 Reporter of the State of California, do hereby certify:

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9 1999, at the hour of 9:15 a.m., I transcribed the said tapes
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14 true and correct transcript of all proceedings had and
15 testimony given.
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